

McHannell

A
DETECTION
OF THE
Court and State
OF
ENGLAND
DURING
The Four Last REIGNS
And the INTER-REGNUM.

Consisting of
Private Memoirs, &c.
With Observations and Reflections.

A N D A N

APPENDIX, discovering the present State of the Nation.
Wherein are many SECRETS never before made public: As also, a more impartial Account of the CIVIL WARS in *England*, than has yet been given.

In Two Volumes.

By ROGER COKE, Esquire.

The Third Edition very much corrected:
With an Alphabetical Table.

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DEPARTMENT OF
COMMERCE AND
NAVY

NAVY DEPARTMENT

WASHINGTON, D. C.

OFFICE OF THE SECRETARY

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NAVY DEPARTMENT

AN
 A P O L O G Y
 TO THE
 R E A D E R.

THAT Man has lived long enough, who has out-
 lived the Love and Piety he owes to his Native
 Country : by my Native Country I do not mean
 the fertile and pleasant Soil of Britain ; nor the sweet and
 temperate Climate of it ; nor the manifold Varieties
 which it naturally abounds with for the use and conveni-
 encies of humane Life ; nor yet the pleasant and excelling
 Rivers which water it ; nor the noble Havens, and abun-
 dance of most open Ports, from which it supplies other
 Parts of this our habitable Globe, with the super-abun-
 dance of those Commodities wherein it excels, and where-
 of the Inhabitants of those Parts stand in need ; and where
 the Waters flow, as well as ebb, as if they invited the
 World to trade with us, as well as we with them : But by
 my Native Country, I mean the Constitutions and Laws
 of the English Monarchy, which have continued for near
 Nine hundred Years, viz. since King Egbert made a De-
 cree, that laying aside the Names of Britains and Sax-
 ons, the whole Nation of that part of Britain under his
 Dominion, should be called England.

Under these Constitutions and Laws have all English
 Men ever since, without any Act of their own Will, been

born in Subjection, and by them have been protected in their Lives, Liberties and Estates; and to govern by these Constitutions and Laws, have been the Claims of our Hereditary Monarchs, who have ever since governed England; and though the Succession of the Kings of England have been often changed in the Saxon, Danish and Norman Race of Kings, yet these Laws and Constitutions have been ever since preserved, notwithstanding the Attempts of many of the Kings of the Norman, and I may say of the Scottish Race too, to have subverted them, which, I believe, is more than can be said of any other Monarchy in the World, out of Britain: So that in our English Government, the Constitution and Laws of it are as well the Rules of the King's Dominion, as of the Subject's Allegiance to the King; and when the Majesty of the King is arrayed in Judgment, Justice, and Mercy, then for his Subjects to resist him is High Treason in this World, and Damnation in that to come: and, I think, I may truly say, no People in the World are more Honourers of their Kings, yet more jealous of preserving their Constitutions and Laws than the English; whereby they have preserved their Government, now France and Spain, whose Government was like ours, have lost theirs.

But when the Kings of England will not make the Laws and Constitutions of England to be their Will, but their Will differing from these to be the Laws and Constitutions of it; then a divided Dominion will necessarily follow, and it will be impossible for the Subject to obey both: The King hereby puts himself out of God's Protection, whose Vice-Gerent he is in governing by the Laws, and misplaces his Majesty which is founded in the Honour, Love and Obedience of his Subjects, upon Minions and Favorites, whose Servant he makes himself; and these shall be the first who shall forsake him, when any Adversity shall come upon him. Our Chronicles give Instances hereof in the Reigns of King John, Hen. 3. Edw. 2. and Rich.

Rich. 2. *And the design of this Treatise is to shew the Consequences that have been produced hereby in the Reigns of the Kings of the Scottish Race.*

In this regular Monarchy, the Kings of England do not abrogate old Laws, or impose new, or raise Monies from the Subject above the Revenues of the Crown, without Consent in Parliament; and hereby the Kings of England reign in the Love and Obedience of their Subjects, and are freed from the Imputation of Tyranny in Sanguinary Laws, and from Oppression in the Taxes granted in Parliament, which no absolute Monarch is; and are more absolutely obeyed in both than any absolute Monarch, who makes his Will the Law of his Subjects.

The Division of the Will of a King of England, does not only distract the Allegiance of his Subjects, so that the divided Will of the King must necessarily prevail over the Laws and Constitutions of it, or these prevail against the divided Will, for both are incompatible, and cannot subsist together: But this Distraction gives Life and Motion to the ambitious Humour of Male-contents; who are impatient as well of Regal Government, as of submitting to the Laws and Constitutions of it. And I submit myself to the Judgment of any Impartial Reader, if this Divided Will in the Prince did not give that Life and Motion to the Ambition of the Factions in England, Scotland and Ireland, which not only raised Civil Wars in all of them, but brought destruction upon K. Charles the First, as well as the Laws and Constitutions of them. However I will take Notice of the Loyalty of the English Nation both to K. James the first, and K. Charles the first, that tho these Kings were foreign born to our Laws and Constitutions, yet it patiently submitted to their Usurpations for above 35 Years; whereas when King Charles the first thought he had wholly subdued this Kingdom to his Will, and endeavoured to have done the same in Scotland, (his Native Country) the Scots would not endure it so

many Weeks as the English had done Years, but rose against it first in Tumults, after in open Arms; and the discontented Parties in England joining with them, however disjoined from one another, brought on those Civil Wars in all the Kingdoms of England, Scotland and Ireland, which procur'd Destruction to the King, as well as the Kingdoms.

In writing this History, I cannot say with the noble Baptista Nani, I have any Command from my Prince, or any other to do it; neither will I pretend to such great Advantages as he had gratis, by a free access to the Records, and most secret Counsels of my Country; tho I must not say, I have been wholly destitute of some, for else such an Undertaking would render me guilty of the highest Arrogance; but what those have been, I judge not pertinent here to relate, they will best appear by the Work it self. Yet I can say with Nani, that I have not suffered my self to be defiled with Partiality (which hath so prevailed in all the Writers of the late and present Times that I have seen) but passing by the Privilege of venerable Antiquity, which to a face of Truth hath another close adjoining, that of Falshood, I have chosen to expose my self to Trial, and perhaps to Reproof, and that I might render a Testimony of Authority to Posterity, to write the Story of the present Age, to the Age it self. And I am not only induced hereto by the Authority of so noble an Historian, but by the Reason of History: For many Accidents and Circumstances, which are no part of the Records of Time, and which soon die and are forgotten, are so interwoven in History, as to make it entire, and of one piece, and which not only enliven it, and create pleasure in reading of it, but without them History becomes disjointed, and is made up of broken pieces.

And I can, in part, say with the noble Nani, and in his own words, That to compose Histories is sacred, and not to be undertaken but with an upright Mind,

Mind, and undefiled Hands; and for that Cause, the Memory of them was consigned to the Temple, under the faithful Custody of the Chief Priests, as the Witness or Trust of those that went before, and the Treasure of those that should come after; not to be handled but as a Religious Thing, and with great Caution. In sum, the Historian taking to himself an absolute Dictatorship, nay an Authority more than Human, over Times, Persons and Actions, governs Fame, measures Deserts, penetrates Intentions, discloses Secrets; is with an undistinguished Arbitriment over Kings and People, the Judge of Ages past, and Master of those to come; Absolves or Punishes, Deceives or Instructs. Whence, not without Reason, the Pen of Writers may be compared to the Lightning, which striking out but one Letter from the Name * *Cæsar Augustus*, made him a God; because *Praise* is a thing so tender, that one Dash makes *Illustrious*, and a little Blot *Infamous*; and the Censure of the World thereupon is so severe, that it either consecrates to Eternity, or proscribes to Infamy. For my self I know not what else to wish, but that every one would take upon him to read this Work with the same disinterested and innocent Mind with which I have wrote it, confining my Confidence in this one thing, that the present Age will not be so unjust to me, nor so ungrateful to Posterity, as to deny me the Opinion of Sincerity.

* *Æsar in the Tuscan Tongue is a God. See Suet. c. 97. in the Life of Augustus.*

It was Nani's Felicity to write the Stories of the Times, when the Prudence of the Venetian Senate, not only preserved their State from the Tumults of War, wherein Christendom was engaged, but in a great measure was Arbitrator of it: So that the Wars which Nani

writes of; were like Thunder afar off; yet herein Nani expatiates his Story in a short time, scarce 30 Years, into a large Volume; whereas, without looking after any thing abroad, but what relates to my Story, I am contracted to the unhappy Story of my Native Country, to shew from what Causes such a Train of Consequences have followed; that England, which before was the Ballance which turned the Scale of the Affairs of Christendom to that side it inclined, not only fell from this envied Height, and became the most despicable of all other States, but sunk into the most miserable State of Abject and Pity.

I am the rather induced to write the Story of these Times, because the Hackney-Writers of them (at least those I have seen) have not only taken things in the midst, without assigning the Causes; but being interested Parties, their Writings have been either fulsome Flatteries, or Invectives against one another, tending to the fixing of the Distempers of the Parties, without regard to the Publick, or assigning the Cause of the Distempers: But herein I except the Collections of Mr. John Rushworth, who, tho interested in the Factions of the late Times, hath so faithfully delivered them over to Posterity; and I could have wished, (tho I know not from whence he had it) that he had not mentioned in that part of King James his Speech to the Parliament 18 Jac. that the Parliament is made up of the three States, the King, the Lords and Commons: and this is the main part of his Collections which Franklin and Nalson so carp at; yet both these differ not only from one the other in reciting it, but from the Record of Parliament, for I have perused them with it, according to the Copy which Mr. Petit has taken.

For my part, I can truly say; that as I never complied with any of the Factions in the late, or present Times; so my Ancestors stood firm to the Laws and Liberties of the Nation,

Nation, and were Sufferers, both before, and in the late Troubles and Civil Wars: and in these Circumstances, I am less disposed to favour or flatter any Party, than another who is interested in any one of them.

I expect it will be objected against me, that in writing this History, I have sometimes been transported into an Heat unbecoming an Historian: I answer, that it may happen a Man may be angry, and not sin, especially when the Offence relates to the Dishonour of God, the King, or the publick Destruction or Distraction of the Country, where Men are protected in their Lives, Liberties and Fortunes; but if I have erred herein, I shall but be in the number of Lactantius, who wrote the Relation of the Death of the persecuting Emperors of the Christians; and of Suetonius and Tacitus.

It was the unhappy Fate of Europe, that the Miseries and Calamities which succeeded the Divided Will of the four Kings of the Scottish Race, from the Laws and Constitutions of this Nation, were not terminated within the Limits of the Kingdoms of England, Scotland and Ireland, but were the occasion of the first Rise, and growing Grandure of France, through the boundless Ambition of Cardinal Richlieu, and the present French King, both by Sea and Land, as well to the Terror of Christendom, as of these Nations: and this Story will, in some measure, trace the Steps of them.

This Treatise, I suppose, will displease two sorts of Men, whom I will never take care to please: One, who exalt the Divided Will of the Prince above his Royal Capacity in governing by the Constitutions and Laws of the Kingdom: The other, those which are impatient under Regal Government, and the Constitutions of this Kingdom.

I have been more particular herein, because notwithstanding the Calamities which this Divided Will of the King had brought upon the Nation in the late Civil Wars,

Wars, and after; yet after the Restoration of King Charles the 2d, the Nation was more fiercely rent into Divisions, under the Names of Whig and Tory, than it was before the Wars; and these last having the Dominion of the Press, and Favour of the Court, made it their business to irritate and provoke all others not of their Faction; and if any opposed them by Writing, when they could not answer, to persecute them for printing without a Licence, tho not unlawful in it self, yet unlawfully printed.

ADVERTISEMENT S.

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INTRODUCTION.

WHEN King *James* became King of *England*, the Kingdom of *France* was bounded on the North with the *British Sea*, from *la Bresle* on the East, where this River which parts *Normandy* from *Boloignois* discharges it self into the Sea, and in the Latitude of 50 Deg. North, and 5 Min. from whence West and by South it extends it self to *Portsal* in *Bretaign*, about 340 Miles distance, and in the Latitude of 48 Degrees; and North and by East from *la Bresle* to *Calais*, which lies in the Latitude of 50 Degrees, 40 Minutes.

From *Portsal* to the South, inclining into the East, upon the Bay of *Biscay*, *France* extended it self to *St. Jean de Luz*, which is the Frontier to *Spain* in the Latitude of 44 Degrees; and from *St. Jean de Luz*, East and by South, it extended it self along the *Pyrenean Hills* to *Perpignian* in the County of *Rosillon*, in the Latitude of 42 Deg. 30 Min.

From *Perpignian* on the South to *Piedmont*, on the East towards the North, it was bounded by the *Mediterranean Sea*, and from *Calais* on the North; the Eastern parts of *France* to the South were bounded by the *Spanish Netherlands*, *Lorain*, *Alsace*, the State of *Geneva*, *Savoy* and *Piedmont*. The Continent was near three-fold more than *England*, including *Wales*.

Before the Reign of *Ferdinand* and *Isabella* in the Year 1474. *Spain* was divided into six Kingdoms, whereof four were Christian, viz. the Kingdoms of *Castile* and *Leons*, *Aragon*, *Navarre* and *Portugal*; and two *Mahometan*, viz. *Granada* and *Murcia*. But when K. *James* came to be King of *England*, all these Kingdoms were united under *Philip* the 3^d, King of *Spain*. *Ferdinand* and *Isabella* having conquered the Kingdoms of *Granada* and *Murcia*, after *Isabella's* death *Ferdinand* conquered *Navarre*, and *Philip* the 2^d claimed and conquered *Portugal* in 1584. after the Death of *Don Sebastian*, who was overthrown and slain by the King of *Fex* and *Morocco* in 1580. All these Kingdoms thus united were greater than *France* by about $\frac{1}{3}$. *Spain* thus united, is a *Peninsula*, having on the North-East and South-East the *Pyrenean Hills*; on the North-East is *Fontarabia*, and on the South-East *Cape de Creux*; the rest of *Spain* is environed by the Bay of *Biscay* on the North, by the *Atlantick Ocean* on the West and South to *Gibraltar*, and to the North-East by the *Mediterranean Sea* from *Gibraltar* to *Cape de Creux*.

The

The North of *Spain*, viz. the North of *Biscay* and *Galicia*, is in the Latitude of 44 Degrees North; and the South parts of *Andaluzia* and *Granada* in the Latitude of 36 Degrees, 30 Minutes: but the extent of *Spain* about the middle Region of it from East to West, is more than from North to South, being near 14 Degrees, 20 Minutes in Longitude.

The Isle of *Britain* is the greatest of *Europe*, it may be of the World, for ought is certainly known, at least none comparable to it, except *Madagascar* or *St. Laurence*, and *Japan*, if it be an Island. The North of it is in the Latitude of 58 Degrees North, the South-East in 51 Degrees, and towards the West inclines into the Latitude of 50 Degrees. It's bounded on the South by the Channel, or *British Sea*; on the East by the *German Ocean*; on the North by the *Deucalsonian Ocean*, and on the West by the *Verguvian*.

Britain is divided into two Kingdoms, *England* and *Scotland*, *England* including *Wales*, above $\frac{1}{2}$ greater; but incomparably a better and more fertile Soil, and a more temperate Climate, in a Northern Climate, lying South of *Scotland*.

The Kingdom of *Scotland* hath several Islands depending upon it on the North and West; on the North is a Knot of Islands, or Rocks, called *The Orcades*; I cannot tell whether they be distinguished by Names; but on the North of these, in the Latitude from 60 Degrees to 61 Degrees, lies *Shetland*, or *Shotland*, which the *Romans* called *Ultima Thule*; and on the West are the *Hebrides*, the most considerable of them are the Isles of *Mul*, *Sky*, and *Lewis*.

Besides *Ireland*, and the Isles of our Western Plantations; the Isle of *Man*, which lies between *Lancashire* and *Ireland*; the Isle of *Anglesey*, which lies between *Wales* and *Ireland*; the Isles of *Wight*, *Garnsey* and *Jersey*, which lie in the *British Sea* between *England* and *France*; and the *Sorlings*, or Isles of *Silly*, a Knot of Islands about a Degree West of the Lands-end of *Cornwal*, are in the Dominion of the Kingdom of *England*.

Ireland is a Kingdom and Island, depending upon the Kingdom of *England*, greater than *Scotland*, and near as big as *England*, excluding *Wales*, and is near of an Oblong Figure, unless the Province of *Munster* inclines towards the West, near a Degree into the South. The North of *Ireland* lies in the Latitude of 55 Degrees, 30 Minutes North; and the South-East in the Latitude of 52 Degrees, 30 Minutes; and the South-West in the Latitude of 51 Degrees, 40 Minutes: the breadth from East to West is near 4 Degrees, 20 Minutes Longitude.

Ireland, on the North, is bounded by the *Deucalsonian Ocean*, on the East by *St. George's Channel*, on the South by the *Atlantic Ocean*, and on the West by the *Verguvian Ocean*.

It will much conduce to open the Design of the ensuing Treatise, if we look back to the Dissolution of the *Roman Western Empire*, and see what Kind of Government succeeded in the Kingdoms of *Spain, France and England*, and so take a view of the Causes of the Ruin of the *Western Empire*: and herein I shall follow *Helvicus* his *Christian Vulgar Æra*.

As *Britain* was the first Country which received the Christian Faith, so *Constantine the Great*, the first of all the *Christian Roman Emperors*, was born a *Britain*, and became Emperor in the year of Christ 306. A Prince who, as he excelled in Christian Piety, so was he adorned with all Moral Vertues requisite in so great a Prince; and being zealously addicted to propagate the Christian Faith and Religion, he chiefly intended these above all other things; but herein he met with great Opposition: nor could he attain these Ends, without shaking the Strength and Foundation of the Constitutions of the Empire.

For in propagating the Christian Faith and Religion, *Constantine* was not only opposed by *Dioclesian, Maxentius* and *Maximin*, (who were Emperours before him) but by his Copartner *Licinius* in War; and the Christians, if they had been all of one piece, were not sufficient to support the Empire against the far more numerous *Gentiles* and *Jews*. Add hereto, that in the Rage of the late Persecution under *Dioclesian, Maximinian, Maximin* and *Maxentius*, the Christians were so sore persecuted, that excepting their Faith and Piety for Christianity, they were unfit for any Civil or Military Employment; but so far were the Christians from being of one Piece, that they were rent into the Sects and Factions of *Marcionists, Montanists, Novatians, Donatists* and *Sabellians*; and in the 10th Year of *Constantine*, *Arius* broacht his blasphemous Opinion of our Saviour's not being God from all Eternity, being the Year of Christ 316.

We do not read that the *Romans*, before the Empire became Christian, ever made War upon any Nation upon the Account of Religion; and though there were many Sects among them of different Opinions concerning their Gods, and their Attributes, and of God's Prescience, Fate, and the Liberty and Necessity of Human Actions, yet the different Sects never went farther than Brawl, and endless Contentions with one another; they never upon that Account made any Schism or Separation from the publick Worship and Service of their Gods prescribed by the Laws of the Empire.

And as among the *Gentiles*, so among the *Jews*, tho the Opinions of the *Pharisees, Sadducees* and *Essæans* were as wild and extravagant as those of the Heathens, yet these were never esteemed by them to be Acts of *Jewish Religion*, nor upon that Account did they dispense or separate themselves from the publick Worship and Service of God prescribed by Law. Where-

Whereas the different Sects of the Christians not only baptized their fond and wicked Opinions, many of which were the same with those of the *Gentiles*, by the Name of Religion; but took occasion from thence to separate and disjoin themselves from the Communion, or publick Worship and Service of God prescribed by publick Authority: So as *Constantine* had a very difficult Task to govern the Empire in this distracted State, not only of the *Gentiles*, but of the Christians. But since Religion is the highest Act of Piety, Devotion and Gratitude, which Man can return to God for his having preferred Man in his Creation and Generation above all other Creatures, in giving him not only Dominion over them, but much more by enduing Man with an intellectual and reasonable Soul, capable of eternal Happiness; and since Religion is not only mistaken in the Name and Exercise, but made at this time as much a Stalking-horse to cover Mens Pride, and fantastical Opinions, as it was in *Constantine's* time, and since, to the Scandal of Christianity, I hope the Reader will not lose his Time in understanding the difference between *Christian Faith* and *Christian Religion*, and herein what is to be ascribed to God, and what is the Duty of Man.

Christian Faith is a firm Belief and Reliance upon God's Promise revealed in the *Old* and *New Testament*, to the end that Man by his Faith, and Obedience to the Precepts which God requires of him herein, may be made capable of Eternal Happiness, from which he was fallen by the Disobedience of our first Parents; so as Christian Faith is the Effect of God's meer Grace and Favour to Man, wherein Man is only passive in believing in God thus revealing himself, and submitting to the Precepts which God requires in the Scriptures.

Christian Faith does not absolve Man from any of the Moral Duties which God requires of him by the Law of Nature; but more strictly obliges Man to them, not only in his Speech and Actions, but forbids all Immoral Thoughts and Intentions; so that Christian Faith is so far from being incompatible with humane Peace and Society in this World, that Man is more obliged hereto by it, than by the Law of Nature.

Christian Religion is a conjoining of two or more in honouring and praising God for the publick Blessings they enjoy by God's Favour, both as being by his Grace and Goodness received into the Communion of Christ's Congregation, as also being protected in their Lives and Fortunes in their several Societies and Governments: So that Christian Religion is the Act of the Will of Man in conformity to Christian Faith; and Christian Faith and Religion differ, as Man's Understanding and Reason: God made Man without any Act of Man's Will, an intellectual Creature, to inform all his future Intentions, Speech and Actions; and it is the Will of Man

Man to intend, speak, and act reasonably, or conformable to his Understanding. So that tho Christian Faith be the same in all Countries and Places, yet Christian Religion must necessarily be different in different Countries and Places, as God, in his Providence, is pleased to govern the World in them.

Thus the Children of *Israel* were obliged to join together in celebrating God's Honour and Praises, for his Deliverance of them out of their *Egyptian* Bondage, and for his immediate Government of them, and prescribing them Laws for the Support of this Government, and for God's revealing himself to them in the Old Testament; which other Nations to whom God had not thus revealed himself, and thus governed, could not do.

So all Christian Countries and Kingdoms are as well obliged to join together in honouring and praising God for the publick Benefits they receive in being protected in every Government in their Lives and Fortunes in this World, as well as in being received by God's special Grace and Favour into the Communion of Christ's Congregation: But God's Providence in governing the World being after different manners, in divers Places, so must the Religion, or the manner of celebrating God's Praises, be differing in them. In *England* we are obliged to honour and praise God, that we enjoy God's Blessings by Laws peculiar to this Nation, and by being delivered from the Popish Conspiracy in 1605, &c. but other Nations which do not partake with us herein, cannot join herein with us, nor we with them.

Religion, or the conjoining of Men in honouring and praising God for the publick Benefits they equally receive from God, is the highest Duty incumbent upon Man: for tho God by a peculiar Providence foresees, and provides for all Men in several manners, it may be, not for two alike in all the World, and also for these in daily Varieties; yet Men are secured in these particular Blessings by the publick Laws and Governments of the different Places where-in they inhabit.

Christian Religion being a conjoining of many in celebrating God's Praises, and in Prayers for God's continuing his Mercies and Blessings; these Praises and Prayers are supposed to be uniform and foreknown, that all who meet, may join with one Voice and Mind in them: and therefore *S. Paul*, 1 *Tim.* 2. 1, 2, 3, 4, 5. exhorts *Timothy*, that first of all, (as for the highest Duty of Christians) Supplications, Prayers, Intercessions, and giving of Thanks be made for all Men, especially for Kings, and all in Authority under them (*tho at this time not only the Roman Emperours, but all Kings, and those in Authority were Heathen and Idolaters*) that we may lead a quiet and peaceable Life in all Godliness and Honesty: for this is good and acceptable in the Sight of God our Saviour, who will have all Men to be saved, and come to the Knowledge of the Truth;

Truth; for there is one God, and one Mediator between God and Men, the Man *Christ Jesus*. If therefore by Divine Precept or Command from God, Supplications, Prayers, Intercessions and Thanksgiving be to be made for Heathen Kings and Magistrates, much more are Christians obliged to make all these for Christian Kings and Magistrates.

All Kingdoms consist in the mutual Office of Commanding and Obeying, so that it is as well the Duty of Kings, and those who are in Authority to command, as it is of the Subjects to obey; and no Obedience can be, where there is no Command to which it is due; for where there is no Law, there is no Transgression, or Omission.

Tho these Offices be distinct in their Relations, to the Governors and Governed, yet the Rules of these Offices are the same, and common to both, so as that they ought to be foreknown, as well to those in Authority to command, as those who are subject to them; these Rules are the Laws and Constitutions of every Kingdom and Country, which unite them into one Incorporeal, or Intelligible Body; and under these is Mankind in different Places, in divers manners, maintained in Society and Concord.

The Offices of Commanding and Obeying, are not only restrained to Moral Speech and Actions, but extend to Religious; for *the Fear of God is the beginning of Wisdom*, as well in all publick as private Actions: So that all Civil Nations to whom God had not revealed himself, however they misplaced their Deities in *Osiris, Isis, Jupiter*, &c. worshipped their Gods in publick manner, and had those Rites and Ceremonies which were performed by separate Persons ordained thereto.

As God governs the World, and all Creatures in it, so does he govern the Kingdoms in the World, and has set fatal Periods to them, as well as to the Life of Man, and all other Creatures: yet as he has not in vain given Laws to Man to govern his Intentions, Speech and Actions by, and made him to subsist in the Labour of his Body, and Cares of his Mind, or both; so has he not in vain commanded all Kingdoms and Nations to honour and serve him, and to live justly and peaceably with one another: and under these only can Kingdoms and Nations hope for Peace, and God's Blessing upon them.

So that it is not the extent of the Territories of Kingdoms and Nations which is the Strength of them, but the number of People in them: nor is it their well-peopling only, but their Unity in Religion and Civil Government; for by these, small Dominions increase upon others, which are in Distraction and Dissension: and where Kingdoms or Nations become distracted or divided, either in Religion or Civil Government, they become, how great soever they be, so much more enfeebled, and tending to outward and intestine Dissolution, as these shall be more.

These

These Discords in Religion and Justice, have their Beginnings oft-times from Kings, and those in Authority, and often from the Subjects. It was *Solomon's Wives*, 1 *Kings* 11. that turn'd away his Heart from the Religion which God commanded, which was the Cause, ver. 11. that God rent his Kingdom of *Israel* from him, and gave it to his Servant *Jeroboam*; and it was *Jeroboam's* Idolatry which distracted the *Israelites* into Factions, which in time brought the *Babylonish* Captivity upon them, from which they never returned.

And as Discords in Religion often arise from Kings, and those in Authority, which enfeeble the Strength of Kingdoms and Nations, so does the Oppression, and Injustice of Kings, and Magistrates, when they are not God's Ministers for their Subjects good, make Kings Instruments of their vile Ends to the damage of their Subjects: Thus *Rehoboam* to humour his Favourites bred up with him, preferred them before his Subjects, and threatned to oppress them more than his Father did; whereby he lost the Dominion of ten of the twelve Tribes of *Israel*, not only from himself but from his Father's House for ever; and became so poor and feeble, that the King of *Egypt* took *Jerusalem*, and made Spoil of all the wonderful Riches, which his Father had left him. It was *Ahab's* Covetousness and Injustice in the Murder of *Naboth*, and seizing his Vineyard, that God not only disinherited his Posterity, but rooted them out from the Face of the Earth; 1 *Kings* 21. 21.

And as this Discord in Religion and Justice may begin with the King, and those in Authority, so it may from those subject to them. It was the People contrary to God's immediate Command forsook the Religion and Worship which was commanded them, and set up the *Molten Calf* to be adored and worshipped, *Exod.* 32. and it was the People which twice conspired to depose *Moses* from ruling over them, *Numbers* 16. which brought so great a Destruction upon them.

I do not question, but it was the intolerable Tyranny and Oppression of *Dioclesian*, *Maximinian*, *Maximin* and *Maxentius*, as well as their horrible Persecution of the Christians, so lively described by *Lactantius*, which gave so great a Reputation to the Christians, and made *Constantine's* Passage to the *Roman Empire* more desirable, not only by the Christians, but even by the *Gentiles*. Nor was the *Roman Empire* at any time of a greater extent, unless under *Trajan*, than when *Constantine* became sole Emperor.

Whereas this *Roman Empire* in the Body of it, was never in so distracted and feeble a State; for tho *Constantine*, in regard of the Excellency of his natural Disposition, was universally acknowledged Emperor, yet above all things endeavouring the Propagation of Christian Faith and Religion, and by his own Authority,

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without the Concurrence of the Senate, he granted an universal Toleration of Religion to all Sects of Christians, as well as *Jews* and *Gentiles*, and not only discharged the Christian Clergy, which by the Constitutions of the Empire (when they were not otherwise persecuted) were subject to give their Attendance upon de-fraying the *Lustral* Sacrifices, and watch and ward for Security of the *Pagan Temples*; but made the Christians capable of receiving Legacies, and of all publick Employments, so as the Christians were not only in an equal, but better Estate than the Gentiles, and upon all occasions had the Preference of *Constantine's* Favour.

But however this displeased the *Gentiles*, it did not content all sorts of Christian Hereticks, and Schismatics, who were so obstinate in their Opinions, that all the Endeavours *Constantine* could use, would not reconcile them: For besides the *Nicene Council*, he called four more, *viz.* at *Gaul*, *Ancyra*, *Neo Casarea*, and *Laodicea*. But when the Hereticks and Schismatics would not submit to these, *Constantine* restrained them from the Privileges he before granted them, and left them in the same state they were before he became Emperor, yet not subject to further Persecution.

This was so far from redressing the Factions, that they became more bitter against the *Orthodox* Christians than they were before, and the *Gentiles* countenanced the Hereticks and Schismatics herein, so that in many Places were Tumults and Disorders; and many bitter Investives, even against *Constantine* himself, were uttered by them. So that the whole Body of the Empire was rent and torn into Parties and Factions, and *Constantine's* time wholly taken up about them, to the necessary neglect of the more important Affairs of the Empire.

To this state did the devilish Pride of these Hereticks and Schismatics reduce the *Roman* Empire; I say devilish Pride, for they were not content to submit, as Christ's Servants, to obey him in those plain and easily intelligible Precepts of the Gospel, but like *Lucifer* would be wise in understanding our Saviour's glorious Attributes, which as they are incomprehensible to Humane Understanding, so without invading God's Prerogative, which he has not communicated to any Creature, no Man ought to enquire into them: and this Misery attends all the wild and extravagant Opinions, not only of the Christians, but of all the Sects of other Philosophers (or rather Sophisters) about God and his Attributes, that being founded in their Fantastick Brains, they will submit to no Rule which God requires of Man to determine them, and so they continue in endless Contention and Confusion.

These Hereticks and Schismatics not content to be Co-partners with our Saviour in his Attributes, extended their blasphemous and extravagant Opinions into the Objects of Religion (which neither the *Jews* nor *Gentiles* ever did) a Lie in diametrical Contradiction;

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for Religion is a publick Conjunction of Men in celebrating God's Praises for the publick Blessings they alike received from God; whereas these for the Love-sake Opinion of their own Conceits, disjoined themselves from celebrating God's Praises for the Benefits they alike received from God, as Christians: How could the monstrous Opinions of the *Marcionists*, *Manichees*, *Novatians*, *Arians*, *Sabellians*, and *Donatists*, absolve these from joining with their fellow Christians, in giving God Thanks for their Conversion to the *Christian Faith*, and for their wonderful Deliverance by *Constantine*, from the Rage and Persecution of *Dioclesian*, *Maximinian*, *Maxentius* and *Maximin*?

This was the Gratitude and Piety which these Men returned to God and *Constantine* for their Deliverance: and if they made things thus bad in *Constantine's* Reign, they made them much worse after his Death; for notwithstanding all the pious Endeavours of *Constantine* to the contrary, the *Arians*, above all other Sects, had over-spread the Face of the *Roman Empire*, and his Son *Constantius* became an *Arian*, and not only revoked the Privileges which his Father had conferred upon the *Orthodox* Christians, and preferred the *Arians* (if they were worthy to be called Christians) before them, but by several Councils at *Tyre*, *Antioch* and in the *East*, (for *Constantine* divided the Empire between his three Sons, *Constantine*, *Constantius* and *Constans*, and the *Eastern Empire* was given to *Constantius*) revoked all the Decrees of the *Nicene Council*.

Nor was the Empire in a much better Condition in the *West*, for *Arianism* had over-spread the *Western* as well as the *Eastern Empire*; and though *Constans* were not a Persecutor of the *Orthodox* Christians, as his Brother *Constantius* was, yet *Liberius*, the Bishop (or, if you please, the Pope) of *Rome*, was an *Arian*; and one *Felix* became a Competitor with him in his Bishoprick, or Papacy. In this Hurly-burly stood the *Roman Empire* after the Death of *Constantine*, wherein Civil and Military Discipline became neglected till the Reign of *Julian the Apostate*, which was but 24 Years after the Death of *Constantine*.

Julian (who succeeded *Constantius*) put the Case further than the *Arians*, for they would allow our Saviour's Divinity to exist to Eternity, though they denied it from Eternity; whereas *Julian* would not allow him to be a Prophet; and for the short Time of his Reign, he made it his Business to restore *Paganism*; and to that end revoked all the Powers and Privileges *Constantine* had granted the Christians, and granted a general Indulgence to all Sects of the Christians, yet recalled all exiled Bishops, whether *Catholick*, or *Heretick*, so that there was a Confusion among them in the Execution of their Offices; but in all he countenanced the *Hereticks* against the *Orthodox*.

However *Julian* being a Martial Prince, and the *Persians* having in these Confusions of the *Roman Empire*, made Invasions upon it; *Julian* raised a great Army, and marched against *Sapores*, the King of *Persia*: but in this Expedition *Julian* died, having reigned but one Year, and eight Months, to whom *Jovian* succeeded, who was a zealous *Orthodox* Emperor: but the *Gentiles* under *Julian* disliking *Jovian*, and the Christians being in Feuds and Factions, *Jovian* was forced to make an inglorious Peace with *Sapores*, and delivered up the City of *Nisibis* to him. However *Jovian* restored the *Orthodox* Christians to the Privileges and Immunities which *Constantine* had granted them, and left the *Pagans* and Hereticks to themselves: But *Jovian's* short Reign, being but seven Months and odd days, could perfect no great matter.

To *Jovian*, *Valentinian* succeeded, who took his Brother *Valens* to be his Colleague; *Valentinian* was zealously *Orthodox*, and *Valens* fierce sa an *Arian*: *Valentinian* granted a general Indulgence of Liberty to *Pagans*, and all sorts of Hereticks, but favoured the *Orthodox*: But *Valens* denied Liberty of Religion, to the *Orthodox*, though he granted it to all other Sects and Hereticks, and also to the *Pagans*.

In the third Year of the Reign of *Valentinian* and *Valens*, *Valentinian* made his Son *Gratian* a Co-partner in the Empire; and having reigned 11 Years died, leaving his Sons *Gratian* and *Valentinian* Emperors, but *Valens* died three Years after him, viz. Ann. 378. and no mention is made of his Issue.

By this time *Arianism* had over-spread the Face of the Eastern Empire, and was so established that the *Orthodox* Christians were forced to exercise their Religion in obscure Conventicles; besides the *Vise*, or *West Goths*, though *Arians*, had over-run *Thrace*, even to the Gates of *Constantinople*.

Gratian was *Orthodox*, and in this distracted Estate of the Eastern Empire, was sore pressed upon by the *Germans* in the Western; so that he judged his younger Brother *Valentinian* no ways qualified to restrain the warlike Progress of the *Goths*, or settle the Eastern Empire; and therefore chose *Theodosius* for his Colleague. *Theodosius* was a *Spaniard* by birth, as well as *Trajan*, a most devout and *Orthodox* Christian, and a most valiant and expert Souldier: so that as *Trajan* was the most glorious and august of all the Heathen Emperours, so was *Theodosius* (at least after *Constantine*) the most renowned of all the Christian Emperours; yet it was his Fate that he should see his Native Country to be the first that fell in the Ruine of the *Roman Western Empire*.

Theodosius was made Emperor in the Year 379, and forthwith raised an Imperial Army, and marched against the *Goths*, and gained several signal Victories over them; and in the Year 380 entred in Triumph into *Constantinople*, where he found it a much more

difficult Task to re-establish the *Orthodox* Christians than to vanquish the *Goths*: for the *Arians* above 40 Years had been possessed of the Revenue belonging to the Church; their Churches rich and splendid, and their Service magnificent; and the *Orthodox* being poor, and out of Possession of any Churches, or Revenue, it was impossible to redress these in an instant, but by degrees; so that it was ten Years before *Theodosius* could re-establish the *Orthodox* Clergy, and suppress the *Arian*.

In the mean time, viz. Ann. 381, the next Year after *Theodosius* settled at *Constantinople*, *Alaricus*, King of the *West Goths*, (who were *Arians*) marched through *Mesia*, now called *Hungary*, *Germany*, and *Gaul*, into *Spain*, and without any Fighting, or Siege, that we read of, took Possession of the greatest part of *Spain*: So much was the antient *Roman* Warlike Discipline neglected, while the Christians were in these Feuds and Discords among themselves; so that *Spain* which held the longest Wars against the *Romans* of all their Conquered Dominions in *Europe*, was the first that was rent from the *Roman* Empire, without a Sword drawn in its Defence.

But *Spain* was too great to be wholly possessed by the *Goths*, so that about 40 Years after *Alaricus* had possessed himself of the other parts of *Spain*, *Gundericus* King of the *Vandals*, Anno 410, marched quite through the Body of the *Roman* Western Empire, and without any interruption, pierced to the most remote South-West part of *Spain*, called *Batica*, and there planted themselves, and called it *Andaluzia*, or *Vandaluzia*, or the Country of the *Vandals*.

I have been a little more particular in setting down the Causes of the Ruin of the *Roman* Western Empire, that the Occasions of the like might be avoided in the other parts of Christendom, as well to avoid the like Consequences, as the Scandal to Christianity thereby; and the rather, because that the fond Opinions which are broached in these times, are as extravagant and wild, as those in the time of *Constantine*, and after; and Men as obstinate in them, and so conceited of them, that they make them the Objects of their Religion; and think themselves thereby discharged from joining with other Christians, in celebrating Praises and Thanksgiving to God, for the publick Benefits they alike partake.

St. Paul truly calls the Brawls among the different Sects of the *Græcian* Philosophers, vain Philosophy; because they tended to no Edification, or Benefit, but caused endless Contentions and Discords; and was never more offended than when the Christians became distracted into Sects, I am of *Paul*, another of *Apollo*, a third of *Cephas*, &c. whereby the Unity of Christians was rent into endless Feuds and Factions.

And as the Dogmatizing of these Philosophers (or rather Sophisters) was vain, and tended to no good, but ill, so are the *Analyticks*, *Topicks*, *Physicks* and *Metaphysicks* of *Aristotle*, and all the

the Disquisitions and Distinctions of the School-men, about the Attributes of God, Angels and Saints, &c. and tend to no Edification : For I say that by no Rule, or Method of *Aristotle's* Logick, was ever any Progreſſion of Learning in any one Propoſition in any Art, or Science ; if another can ſhew it, it lies on his part, for I deny it ; and I will be particular herein.

Clavius in his *Scholium* upon the firſt Propoſition of *Euclid's* Elements, endeavours to demonſtrate it by *Ariſtotle's* Logick, in three *Syllogiſms*, and two *Corollaries*, (ſuch as they are) and then leaves it not only unconcluſive, but ſays by this way it cannot otherwiſe be done ; and therefore not only he, but all other Mathematicians, not only in their Comments upon *Euclid*, but all other Mathematical Learning, rejeſts this way of Reaſoning, and betakes himſelf to what he had ſaid before in his Demonſtration of it. As if all Light of Reaſoning were ſo ſhut up in *Clavius* his Brain, that becauſe he does not ſee, the reſt of Mankind muſt be blind ; and what is that way of Reaſoning that he betakes himſelf to, but by huddling the Principles of Geometry into Confuſion, without order or method of Reaſoning, to make a Concluſion, like a *Dutch* Reckoning of *Altem-al* ? From hence it is, that there is no Method or Order of reaſoning obſerv'd in Geometry, whereby this noble Science is rendred ſo perplexed, that of ingenious Men, not one in twenty can underſtand it, and no Reaſon is given of any one Propoſition of our moſt uſeful *Vulgar Arithmetick*, whereby it becomes cramped up to ſome few Rules, without further poſſibility of progreſs.

And I ſay if *Ariſtotle's* Logick be of no Uſe in Scientifical and Demonſtrative Learning, then cannot it be in dialectical and probable ; for if any of the Premiſes of a *Syllogiſm* be but probable, or uncertain, the Concluſion will be leſs probable and more uncertain, from whence endleſs Confuſion and Diſcord will follow, but never any rational Knowledg : and from hence it is there are ſo many Sects among the *Peripateticks*, which are derived from *Ariſtotle*, as Branches from the Trunk of a Tree, as *Clavius* truly obſerves in his Preface of the Nobility and Excellency of Mathematical Learning, and we ſhall have Occaſion to ſay more hereof hereafter.

I would not have carped at *Ariſtotle* or *Clavius* herein, if I did not underſtand that not only Geometry and Numbers, but all Mathematical Learning, might be taught by one Method of Reaſoning, intelligible by Youth in their early Years ; and that without *Algebra*, Square or Cube Roots of ſurd Numbers, might be extracted without Error ; whereby all thoſe ſurd Propoſitions in Mathematicks, which before could only be reſolved *Geometrically*, may be ſo Numerically ; and alſo how in Navigation to find out the Variation of Longitude in any different Latitude, if an Account

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be given of the Sailing; which I say is impossible to be done by *Trigonometry*, and the Tables of *Sines*, *Secants*, and *Tangents*; and to find out the Centre of any Circle, in any two different Latitudes, and variation of Longitude given, and the Arch of Distance: Nor is this Method of Reasoning restrained to Mathematical Learning, but may be in other, as hath been shewed in *The Reasons of the Decay of the Strength, Wealth and Trade of England*, and *The Increase of the Dutch Wealth, Strength and Trade*, &c.

How much better then were it for the Nobler, and better sort of Youth, to be instructed in their Mother-Tongues in this Learning, wherein every Proposition would beget a new Knowledge, which may be useful to them in their future Conversation and Business, than to lose their whole Youth in learning Greek and Latin, which they rarely ever after make use of, which they might, if that time had been employed in learning *Welsh* and *Irish*; and instead of being instructed how to deal and converse justly, to be imposed upon by the Sophistry of *Aristotle*, which is of no Use to them in their Conversation and Business, and excites them into endless Brawls and Contentions not only in civil but religious Affairs?

Having given an Account of the Reasons of the Ruine of the Roman Western Empire, and how like our Case is to that of the Empire in its Declension; It's time to take a view of the State of the *Goths* and *Vandals*, after they had planted themselves in *Spain*: and herein I observe, that though the *Romans* as well as *Grecians*, esteem all other Nations barbarous but themselves, yet the Government of them was equal, if not better than either; for it was a Regular Monarchy, wherein the King did not govern by an absolute despotick Power, but by established Laws; nor could they make new, nor alter the old, or raise Money, without the Consent of the States of their Kingdoms, and this continued for many Hundred Years after: how many of the Kingdoms in *Spain* lost these Privileges, is too long to be inserted here; yet at this Day the Kingdom of *Arragon* retains them: So that the King of *Spain* never speaks to them as King of *Castile*.

In the Reign of *Honorius* and *Arcadius* Ann. 408. about five Years before *Gundericus* entred *Spain*, *Attila* King of the *Huns* over-run the Empire, and pierced into *Gaul* with a huge Army, against whom *Honorius* sent *Ecus*, (the greatest General of his time) with an Imperial Army, which was raised in all parts of the Empire; so as *Ecus* was forced to withdraw the *Roman* Legions in *Britain* to oppose *Attila*, nor did they ever return more; so that the poor *Britains* being enured to no warlike Discipline, but only to serve their imperious Masters, easily became a Prey to the *Picts* and *Scots*, and so were in a more servile State than when they were under the *Romans*. To redeem themselves from which, they called the *English Saxons* to their Assistance, who used them worst of all, and

expelled the whole Race of them out of that part of *Britain*, now called *England*.

But this is observable, That as in these Times the rest of the *Roman Empire* was over-spread with *Arianism*, so was that part of *Britain* subject to the *Roman Empire*, over-spread with *Pelagianism*; and here observe the Justice of God upon them, that these Men who ascribed to themselves a Power of Salvation, without God's special Grace and Favour to them, should not be able to save themselves from their Enemies, but be either slaughtered by them, or expelled their Native Country upon the Earth.

The *Saxons* which conquered the *Britains* were Heathen, yet was their Government, as well as that of the *Goths*, a Regular Monarchy, and so continued in all the Dynasties of their Kings, and yet is continued notwithstanding the several Attempts of many of the Kings of the *Norman*, and the *Scotish* Race to the contrary.

About ten Years after *Ecium* recalled the *Roman* Legions out of *Britain*, viz. in 418. *Pharamond* entred *Gaul*, and conquered some part of it, which he called *France*, after the Name of the *Franks*; and *Pharamond* was Heathen; and so was *Meroveus* his Successor, and *Childerick* his Son; and so continued till about the Year 490, when *Clovis* was converted to Christianity: of whom *Messeray* glories that he was the only King in the World, which was not Infidel, or Heretick.

However, the Government of the *Franks*, as well as the *Goths* and *Saxons*, was a Regular Monarchy, till the Reign of *Charles* the 7th, about the Year 1430. which was above a thousand Years after the *Franks* planted themselves in *Gaul*.

If we look back into the Reign of *Henry* the 2d of *England*, we shall find him, it may be, the greatest of all the *Western* Kings, and Lord, if not of the greatest, yet best part of *France*, as he was Duke of *Normandy* and *Aquitain* in Right of his Wife *Eleanor*, *Aquitain* having the Ocean on the West, and *Normandy*, the *British* Sea on the North.

But this Dominion did not last long, for King *John*, *Henry's* Son, and *John's* Son *Henry* the 3d endeavouring to usurp a more than Legal Authority over their Subjects, caused such a Ferment and Discord in the Kingdom; and this lasted near 70 Years, that the Kings of *France* in the mean time took all *Normandy*, and the greatest part of *Aquitain* from the *English*.

When King *James* became King of *England*, *Henry* the 4th was *French* King, having composed by Force and Clemency the Civil Wars, which had raged near 40 Years all over *France*; and in the Year 1597, made Peace with *Spain*, which was about 5 Years before King *James* became King of *England*; and here let's take a view of *Spain*.

Though *Spain* were $\frac{1}{2}$ greater than *France*, when King *James* came

came to the Crown of *England*, yet *France* was, I believe, fivefold better peopled, and generally a more fruitful Country: How this came to pass it's fit to look back upon the Cause of the Sterility of Men in *Spain*, and their abounding in *France*.

Ferdinand and *Isabella*, King and Queen of *Castile* and *Arragon*, about the Year 1490, having conquered the Kingdoms of *Granada* and *Murcia*; and against their Faith given to the *Moors*, brought in the Inquisition upon them, the greatest part of the *Moors* forsook their Country, and thereby left the Kingdoms of *Granada* and *Murcia*, so much less peopled: and *Ferdinand* and *Isabella* being addicted to the *Roman* Religion, established manifold Bishopricks and Religious Houses in these Kingdoms of both Sexes; and the Pope though he pleases to make Marriage a *Sacrament*, yet forbids it to the Clergy, and other of both Sexes who take upon them a Religious Life; whereby as the *Moors* leaving *Spain*, unpeopled it at present, so future Generations became so much less replenished by how much more People took upon them a Religious Habit.

But this Mischief did not stop here, for *Philip* the 2^d (great Grand-Son of *Ferdinand* and *Isabella*, and a most bigotted Prince to the *Romish* Superstition) brought the Inquisition upon the *Converted Moors*, which drove them out of *Spain* to the farther unpeopling of it; and my Lord *Bacon* says, that many of these poor converted *Moors* became as persecuted in their Exile for their Religion, as if they had continued in *Spain*: And this Mischief further followed, not only to *Spain* but to *Christendom*; for the exiled *Moors* having no other Habitation and Means of Living, set up their Trade of Piracy in *Algiers*, *Tunis* and *Tripoli*, within the *Straits*, and in *Sally* without, whereby they have been a Plague to all other Christians, as well as *Spaniards*, who trade into the *Straits* and *Affrick*, and other Southern Countries, ever since.

About the time that *Ferdinand* and *Isabel* conquered *Spain*, *Columbus* discovered the *West-Indies*; and *Hornando Cortez* siding with one part of the *Indians*, which were at War against the other, and thereby becoming Conqueror of those he fought against, he got incredible Wealth, with a Discovery of the Rich Mines in *Mexico*.

The Blaze of this quickly flew all over *Spain*, so that the *Spaniards* expected Mountains of Gold in running out of *Spain* into *America*, and therefore near half *Spain* ran into *America*, to seek new Adventures there; the covetous *Spaniard* not considering the Strength and Glory of every Country consists in the well peopling and governing of it; and that Desolation is the End of all God's Judgments upon any Country.

Here note, that no Art or Science comes to pass by Fate, Inspiration or Chance, but by Education, Learning, Conversation and Experience in Arts; and therefore wherever People are thin, they are rude, ignorant, poor, heathenish, and idle, and of little Use to their

their Country; and also where the generality of the People of any Country, be not employed in Labours to supply other Men, they become a Burden to the Country to maintain them: so that *Spain* in this state not only lost their antient Virtue and Military Discipline, but the Inhabitants being more religious and idle People than in any other part of the World, became hereby not only the feeblest of all other Countries, but the poorest; and notwithstanding the Millions of Treasure which were yearly imported into *Spain*, yet it could not support the Luxury of the *Religious*, and maintain the poor idle Persons in it.

But *Spain* could not contain the bloody Superstitious Rage and Tyranny of *Philip*, but he endeavoured to have brought in the *Inquisition* and *Castilian* Government into the *Netherlands*, which were Provinces more rich and abounding with People, and had more great and populous Towns, than any other part of the known World of like Bigness, and the Inhabitants of a warlike Constitution: these Countries were made free by *Charles*, *Philip's* Father, from their dependance upon *France*; for after *Charles* had taken *Francis* the first, Prisoner, it was one of the Articles for his Enlargement, that he should remit the Fealty which those Countries paid him.

The *Fleming* (for so the Inhabitants of these Provinces were generally called from *Flanders* the greatest of them) did not as the *Moor*s, run out of their Country, but stoutly stood upon their Liberties and Privileges, and rose up in Arms in defence of them: and these Wars continuing above 80 Years, not only put the Kings of *Spain* to a greater Expence than the Revenues of those Provinces, and the Returns of the Plate Fleets from *America* could support; but after all, above seven of these Provinces rent themselves quite from the Dominion of *Spain*, and erected themselves into a *Free-state*: nor till the Duke of *Bavaria* became their Governour, would the Kings of *Spain* trust the Inhabitants of those which continued in their Subjection, with Arms to defend themselves against the *French*, whereby the Government of those Countries became more chargeable to *Spain* than it could support; yet so weak, that they could not resist the Insults of the *French*, nor the revolted Provinces: and in this State *Spain* stood when King *James* became King of *England*, and so continued (except the Truce made in 1609) till the Treaty at *Munster* in 1648.

It hath been observed in the *Treatises* of the *Reason* of the Decay of the *Strength, Wealth and Trade* of *England*, and also of the equal Danger of the *Church and State* &c. of *England*, how much the State of *England* resembles that of *Spain*; for if the Excursion of the *Spaniards* into *America*, so much dispeoples *Spain*, so does the Excursion of the Inhabitants of *England* into our *American* Plantations, and in re-peopling *Ireland*, dispeople *England*; and if the *Inquisition* in *Spain*, be a Bar to keep out Supplies in *Spain* for their Expence into *Ame-*

rica, so is the Law against naturalizing of Foreigners here in England.

It is true, no Law, or Usage in England, forbids Marriage to any, for supplying future Generations, yet I'll leave it to the Reader to judge, if, as the Case stands in England, it be not worse than if Marriage were forbidden to the ordinary and meaner sort of People in England; for in all the Countries of England more poor Children are born, than can be employed in Rural or Country affairs, and their poor Parents have not means to bind them Apprentice in Market-Towns and Corporations, which exclude all other from Trading with them, but those which have been bound Apprentice, and served their Apprenticeship: nay the 5th Act of Eliz. c. 4. excludes all from being bound Apprentices, but the Children of Free-men, or such whose Parents had 40 Shill. per Ann. and by the Act of Eliz. 31. 7. no Cottages shall be built in Country Villages, which shall not have 4 Acres of Ground annexed to them, which poor Labourers cannot do; so that the poor Children not being permitted to inhabit in Country Villages, and excluded out of Market-Towns and Corporations, are forced either to fly their Country, or to be Tapsters, Ostlers and Drawers, Alehouse-keepers, or Strong-Water-Sellers, if they can get a Licence: so little was the Interest of the Nation understood heretofore; for the Strength and Wealth of every Nation is founded in the Number and Industry of the Natives; and therefore to neglect to instruct Youth how to employ themselves, or to debar any Man from the Benefit of his honest Employment, is not only unjust but impolitick.

And as these Corporations in excluding other Men are unjust and impolitick, so are they dangerous to the Government otherwise, as they are Marks of Faction and Distinction in it; and as they make themselves to be the only Free-men in them, whereby they exclude the rest of the Nation: Now let's see what a Sort of Men these are which claim these Prerogatives over the rest of the Subjects of the Nation, but generally a Sort of Shop-keepers, Retailers, and wholesale Men, who neither labour, nor are otherwise of any Use to the Government; but by the Prerogatives of their Freedom, set what Price they please upon the Labour of poor Artificers, (who are the Soul of the Nation) and impose what Rates they please to the Buyers of these again of them; whereby their Riches arise from the Oppression of the Labourer, while they are idle, and by imposing upon the Nobility, Gentry, and others in selling: whereas it's said, and I believe it, that in Holland a Retailer, (or if you will a Fore-staller) is not permitted, unless to them who are reputed honest, and by Misfortune are fallen into Decay; so that as London grows rich by its Freedom of Trade with the Nation, so Amsterdam, and other Towns in Holland grow rich by foreign Trade.

The Act, 3 Jac. c. 6. is of better Authority than any thing I can say,

say, and more lively describes the manifold Mischiefs and Abuses both to the King and Kingdom, which attended our foreign Trades by Companies, exclusive to other Subjects of the Nation: He only therefore observe this in it, which the Act does not; That these Companies who manage foreign Trades exclusive to other Men, are more tyrannous and injurious to their fellow Subjects than any of their Enemies are, as has been shewed in the *East-India* and *African* Companies, and hereby have no reason to expect any Assistance from the Nation to support them, against the Insults of the *Dutch* and *French* upon them; for why should the Nation assist them, who have rent themselves from the Nation, and are more Enemies to it than any other?

But over and above these unhappy Accidents, which so highly contributed to the weakning of the *Spanish* Monarchy, we may add another, that proved no less fatal and destructive, and that was *Queen Elizabeth's* destroying their invincible *Armada* in the Year 1588. and her sacking and Burning of *Cales* in 1595. wherein was destroyed such an incredible Mass of Wealth that the *Spaniards* never after were formidable either by Sea or Land; and this was so much the more, by how much *Philip* the 3^d proved to be a weak, effeminate Prince, wholly governed by Favourites.

Having taken a View of *England* and *Spain*, and compared the State of them, we'll see how they stand in reference to *France* which lies between them, and so becomes a neighbouring Nation to them both: *France* tho it be not threefold greater than *England*, yet it is manifoldly more peopled in that Proportion, and more abounding with great, rich, and populous Towns; and tho it be not an Island, yet it has the *British* Sea on the North, the *Atlantick* Ocean on the West, and the *Mediterranean* Sea on the South; so that in its Situation, it's better placed for Trade, than if it had been an Island, having *Spain*, the *Spanish Netherlands*, *Lorain*, *Germany*, *Savoy* and *Italy* to trade to by Land.

Henry the 4th of *France*, after he had subdued the Popish League, and made a Peace with the *Spaniard* at *Vervins* in 1597, secured the Murmurs of the *Reformed*, by the famous Edict of *Nants*; and being a Prince not less prudent in Counsel than victorious in War, as well to divert the *French* from their mutinous and quarrelling Humour, as to increase the Riches of *France*, gave all imaginable Encouragement to the Inhabitants in Manufactures, the Principles whereof abound more in *France*, than any other Country, except *England*; yet added to them the breeding Silk-worms, and by the lively Ingenuity of the *French*, improved Silk-Manufactures above any other Country.

Here take notice of the Benefit which arises to any Nation by the Employment of People in Manufactures, above other Countries, where the Inhabitants are not employed: For, suppose a Million of People

People in *France* were thus employed, and those yearly earned 20 *l.* per *Ann.* the Employment of these People are twenty Millions Benefit yearly to *France*, and this Money generally distributed among the Workmen; and whatever of these Manufactures are vended in foreign Trade, these will be so much an enriching to it; whereas if these had not been employed, they would have been at least five Millions a Year burden to it, and *France* would have been in so much a worse State to have supported them; whereas if the People be not employed, as in *Spain*, the Distribution of the Treasure out of the *Indies* is not only unequally distributed, but the Charge of maintaining the Religious and idle Persons, most miserable and intolerable. Let's now see the State of *England*, by the 5th Act of *Eliz.* c. 4. excluding the *English* Natives, not Free-men, from working in Market-Towns and Corporations: we'll take a very modest Estimate herein; and suppose but 10000 yearly (scarce one in a Parish) be excluded, so that hereby the Nation loses their Employment, this at 20 *l.* per *Ann.* will be 200000 pounds a Year loss to the Nation, besides the Charge of maintaining them, if they do not fly out of the Kingdom, for want of Subsistence in it; and I pray what does the wholesale and Retail Trades of Shop-keepers in them, contribute to the Support of this, or of what Benefit are they otherwise to the Nation?

Henry the 4th having thus employed the Natives of *France*, and having few Plantations to exhaust it, tho *France* drove no foreign Trade by Sea, yet by permitting the *English*, *Dutch*, *Swedes*, *Danes* and *Hamburghers* to trade into *France* by Sea, and the *Germans* by Land, it's scarce credible, after the long Civil Wars in *France*, in the Space of but 13 Years (for it was no longer between the Peace at *Vervins* in 1597, and his Death) what incredible Treasure he amassed, if so great an Author as *Messeray* did not affirm it; whereupon he nourished a Design of new modelling all the Western Parts of *Christendom*, (except *Britain* and *Ireland*, which he knew would not hinder him in it) and *Messeray* did not doubt but he had means enough to have accomplish'd it, if he had lived; but when his Foot was in the Stirrup to have accomplished this, *Ravillac* put a full Stop to his Career.

Yet *France* had in it no Mines of Gold or Silver, no more than *England* hath; and the Treasure which *England* acquires, is by the Vent of our Woollen Manufactures, and our Lead and Tin; and so much more as the Natives are less employed in these, and these are less in foreign Trade, by restraining the Vent to *English* Men, and more to *English* Companies, so much less Treasure will the Nation acquire, and the Natives be less employed.

As *France* thus abounds in People more than either *England* or *Spain*, whereby they acquire such vast Wealth above them, by permitting Foreigners to trade with them; so are the *French* Nobility

lity (which include the Gentry) of a warlike and aspiring Temper; and if this had not usually excited them into intestine Broils and Tumults, as Secretary *Trevor* observes, all their Neighbour Nations could not have set bounds to their ambitious Humour.

But the Prosperity of *France* no ways daunted Queen *Elizabeth*, so that *Henry* the 4th designing to build some great Men of War at *Brest*, she forbid the King's making any further Progress in it, or she would fire all the Ships in his Harbours, whereupon this great Hero desisted; nor would she permit the *Dutch* to build any great Ships, but she would have an account of them; and so having the *Brill*, *Ramajins* and *Flushing*, the Keys of the Rivers of the *Maes* and *Scheld*, in her Hands, she died with an uncontrouled Dominion of the Seas, and Arbitress of *Christendom*: and in this State King *James* took Possession of the Crown of *England*, with all its Dependences, to which he added that of *Scotland*, whose Reign is now ripe to be exposed.

A

DETECTION

OF THE

Court and State of *England*,

During the Reign of

King *JAMES I.* &c.

BOOK I.

CHAP. I.

A Better View may appear of this Reign, if we look back to the Beginning of the Reign of Queen *Elizabeth*, and compare it with that of this King's Reign, when he came to join the Crowns of *England* and *Ireland* to that of *Scotland*, and thereby became the greatest Monarch that governed *England* since King *John*, except it was in the Reign of *Henry* the Fifth, and some time of the Reign of *Henry* the Sixth, when *Normandy*, and so great a part of *France*, was subdued to the Dominion of the Crown of *England*.

This Kingdom was never in so low an Ebb of Reputation, and so dangerous a State both at home and abroad, as when Queen *Elizabeth* came to the Crown, her Father, Brother and Sister in debt, and the Navy Royal neglected and out of Repair; yet the Revenues of the Crown, besides the Court of Wards and the Dutchy

Dutchy of Lancaster, I say, the Profits of the Kingdom were but 188179 l. 4 s. [See Sir Robert Cotton's *Means of the Kings of England*, p. 3.] the Kingdom imbroiled in intestine Heats in Religion, and Philip the second of Spain aspiring to an unlimited Dominion in and out of Europe; Calais, notwithstanding the united Interest of England with Spain, but some Months before lost to the French; and Francis the Dauphin of France, in right of his Wife Mary, Queen of Scotland, laying claim to the Crown of England.

Whereas when King James came to be King of England, the Kingdom was in intire Peace within, and in a Martial State, and full of Honour and Reputation abroad; the Royal Navy not only Superior to any other in the World in Strength, but in good Repair; few Debts left charged upon the Crown: yet if the Exchequer were not replenished with Money, the King received Three entire Subsidies, and six fifteens of the 4 Subsidies, and eight Fifteens granted to the Queen for suppressing the Irish Rebellion, and carrying on the War against Spain some Months before, though both the Rebellion, and War with Spain ceased that Year he became King; the Customs for supporting the Navy, more than fivefold they were in the Beginning of the Reign of Queen Elizabeth, and above two Millions and four hundred Thousand Pounds due from the States of Holland (or the United Netherlands;) but how the States became discharged of it, it's fit to premise it there, and how it became due to Queen Elizabeth, and so to the Crown of England.

Queen Elizabeth though she refused to accept of the Sovereignty of the United Provinces, when she took them into Protection, after the Expulsion of the Duke of Anjou, and the Death of the Prince of Orange; yet she entred into a Treaty with the States, Anno 1585. wherein it was agreed, That the Dutch should repay her all the Monies which she should expend for their Preservation, with Interest at 10 per Cent. when the War was ended with Spain; and that two English, whom the Queen should name, should be admitted into their Council of State, and for Security whereof the Dutch should deliver up to her Flushing, Rammekins, and the Brill, which were the Keys of their Country.

Upon this Agreement the Queen, for the Dutch's further Encouragement, gave them Licence to fish upon the Coast of England, which she denied them when they continued in their subjection to King Philip; and removed the Staple of the English Woollen Manufactures from Antwerp, in the Power of the King of Spain, to Delf, in the Dutch Power; and it is scarce credible, how in so short a time after, viz. scarce thirteen Years, the Dutch entertaining all sorts of People, who were persecuted upon the Account of not submitting to the Papal Usurpations, (called Religion) swelled their Trade and Navigation, not only in Europe but in the East and West-Indies.

The

The Queen considering this Encrease of the *Dutch Trade* and Navigation was as much to the lessening of the *English*; and being provoked by the Ingratitude of the *Lovesjein Faction*, whereof one *Olden Barnevelt* was the Head (a Fellow as factious and turbulent, as ungrateful) by whose Counsel another Assembly was erected at *Amsterdam*, called *The Convention of the States General*, wherein they managed all the secret and important Affairs of their State, and out of which they excluded the *English*:

The Queen, I say, highly incensed at the Ingratitude of this Faction, which now governed all in *Holland*, and yet continuing to support them at the Charge of 120000 *l.* per Ann. as *Camden* observes in his *Eliz. Reg. Ann.* 1598, signified to the States her Intention of making Peace with the King of *Spain*; which if she did, it would be impossible for them to continue their War with *Spain*, and recover their Cautionary-Towns from the Queen.

Hereupon the States sent my Lord *Warmond* (as they called him) as their humble Suppliant to the Queen, and in the lowest Posture of Humility acknowledged themselves obliged to her for infinite Benefits; and that as her Majesty excelled the Glory of her Ancestors in Power, so she excelled them in Acts of Piety and Mercy, but pleaded Poverty for not repayment of the Money the Queen had expended for their Preservation, (they might have said their Exaltation.) The Queen in Answer to them said, she had been often deceived by their deceitful Supplications, and ungrateful Actions, and Pretence of Poverty, when their Power and Riches confuted them; and that she hoped God would not suffer her to be a Pattern to other Princes to help such a People, who bear no Reverence to Superiors, nor take care for the Advantage, Reputation or Safety of any but themselves. The *Dutch* were confounded at the Queen's Answer, submitted themselves to such Terms as the Queen should lay upon them; and the Queen wisely considering if she should cast them off, *Henry the 4th of France*, who the last Year, viz. 1597, had concluded a Peace with *Spain* at *Vervins*, by the Interposition of the Pope's Nuncio, and sought to be Protector of the States, whereby the Queen would not only be in danger to lose their Dependance, but the Monies she had expended in their Support, they (the Queen and States) came to this Agreement.

1. That upon an Account stated, there was eight Millions of Crowns, or two Millions Sterling due to the Queen, for which they were to pay Ten per Cent. so long as the War lasted.
2. That during the War they should pay the Queen one hundred thousand Pounds yearly, and the Remainder when Peace with *Spain* was concluded, and then to have their Cautionary Towns surrendered back to them.

3. That till this Agreement was performed, the States were to pay Fifteen hundred English in Garison in them. We leave this Agreement here till we hear more of it hereafter.

There were but thirteen Months between this King's Birth and Reign, his Mother being deposed to make Room for his coming to be King; and by this Title he reigned twenty Years in his Mother's Life, and during that time he never made use of her Name in the Coin of *Scotland*, nor in any Proclamation or Law, and after her Death, continued his Reign by this Title to his dying Day: which was inconsistent with the Flatteries which his Favourites buz'd continually in his Ears, That he was King by inherent Birth-right, and that he held his Crown from God alone: and so pleasing was this Doctrine to him, that above all other things he set himself upon it, not only in magnifying himself herein, in his Speeches in Parliament, but in his Writings against *Bellarmino* and *Peron* against the Pope's deposing Kings.

In his Infancy and Minority the Regents and Nobility made Havock of the Crown and Church Revenues, so as when he came to Age, he had but little left to support his Crown and Dignity; but by how much he became lessened hereby, the Nobility became so much greater, and to support themselves, held a Correspondence with Queen *Elizabeth*, who tho she countenanced the Nobility, yet she allowed the King a yearly Pension of 4000 *l. per Ann.* (I have heard and believe it) in his Minority, and 10000 *l. per An.* after he came to age, and hereby kept both the King and Nobility depending on her.

As the Nobility, in his Minority, made him so poor, so the Kirk-party justified him in his Throne, by making themselves a distinct Table from the Secular or Temporal Power, not only in Matters purely Spiritual, but in holding General Assemblies and all Matters which related to what they pleased to call *The Kingdom of Christ*; and were so zealous, I will not say *Rude*, herein, that they made it a Duty incumbent upon the Temporal Power, to pass the Acts of their General Assemblies into Laws: And, in truth, they expressed but little Civility to the King, in whatsoever they applied themselves to him, as if it were his Duty to do whatsoever they would have him, and without his Consent; and even to cross him, would ordain Fasting-days, and sometimes upon Sundays: And hating Episcopal Government, it was very troublesome to the Regents, in his Minority, as well as to the King, to retain the Name of a Bishop, after they assumed to themselves the Power. Queen *Elizabeth* was no better Friend to this Kirk-party than the King, though she winkt at it, and was the more provoked against it, by *Knocks* his Book which he wrote against *Gynarchy*; and from hence it was King *James* took the easier Impression of Flatterers, and was so zealous a Defender of Bishops, that in a Conference at *Hampton-Court*,

Court, in the first Year of his Reign, he held it for a Maxim, No Bishop, no King.

The Tears which all true *English* shed for the Death of Queen *Elizabeth*, who died the 24th of *March*, 1602. were soon wiped off, by the Accession of King *James* to this Crown, the antient Feuds between the Nations of *England* and *Scotland* were reconciled; and *John Stow* in his Annals of the first of this King, gives a particular Account of his most magnificent and joyful Reception day by day from *Berwick* to *London*, yet with this Blot in his Scutcheon, that when he came to *Newark*, he first discovered his Disposition to Arbitrary Government; for being told that one had cut a Purse at *Newark*, the King without any Legal Process, or the Defence of the Party, signed a Warrant to the Sheriff of *Lincolnshire* to hang him, which was executed accordingly.

This put no Check to the Jollity of the People, but the nearer he came to *London*, the greater was the Concourse and Acclamations of the People, tho by his Proclamation, (of which never any Prince was so prodigal, and wherein he continued to his dying Day) he had forbid it, because it raised so much Dust as proved troublesome in his Passage; and upon the 11th of *May* he came to *London*, where, being a Prince above all others addicted to Hunting, as his first care, upon the 16th of *May* issued out another Proclamation forbidding all manner of Persons killing Deer, and all kinds of Wild-fowl used for Hunting and Hawking, upon Pain of the several Laws and Penalties to be executed upon them.

The gazing World abroad, were astonished at this King's peaceable and joyful Settlement in *England*, and were as forward to Congratulate him in it, as his Subjects were to receive him; and herein the *Dutch* (being Merchants) were the first that addressed themselves to make their Market of him, and sent over the youngest Son of *William*, Prince of *Orange*, one *Fulk*, and *Barnevelt*, who, (in the Reign of Queen *Elizabeth* lay covered in his Faction at *Amsterdam*, as Tortoises do under Ground in the Winter) now the *Dutch* designing to make their Harvest in this King's Reign, came abroad, as Tortoises do in the Spring, to dispose him to it: but the *Dutch* needed not have been so forward herein, for the King was environed with those which should do their Work, better than *Barnevelt* could have done it.

The *Spaniards*, after the Loss of their Armada in 1588, and the Loss sustained in the Sacking of *Cadix* in 1595, declined as fast in Power and Reputation, as the *Dutch* grew greater both in *Europe*, and the *West-Indies*. But *Philip* the 2d dying about three Years before Queen *Elizabeth*, the former Feuds between her and *Philip* became much abated, and *Philip* the 3d. succeeding, a young Prince (*Nani* says) of singular Piety (he means devoted to the *Romish* Superstition) but wholly unacquainted with Government, and

contenting himself with the Royal Dignity, left the Power to his Favourites and Ministers, and of whom *Nani* in his fourth Book, Anno 1621, makes this notable Remark as to his Death; That it remained a Doubt, whether in an Age proclaimed by the Wrath of Heaven to the Mockery of Favourites, the King would not have taken upon himself the Government, when Death, in the 43^d. Year of his Age takes him away from the Troubles which Empire carries with it? His Years surely would have been more memorable, if he had been born a private Man rather than a King; because being better adorned with Ornaments of Life, than endowed with Skill to command, as Goodness, Piety and Contenance, placed him in an higher degree than ordinary Subjects; so his Disapplication to Government, rendred him lower than was fit or necessary. By publick Defects private Vertues being corrupted, and in particular keeping his Mind in Idleness, it was believed that he reserved nothing to himself to do, but to consent to all that his Favourites had a mind to.

Thus the Government of the World recommended to Princes, as the true Shepherds, falls into Mercenary Hands, making themselves not understood but by the sound of the Voice of Interest, and the Authority of Ambition, the People suffer Ruin and Calamity, and the Princes themselves render an Account to God of that Talent which they have suffered their Ministers to make Merchandise of. It is certain, *Philip* in the Agony of his Death, was not so much comforted with calling to mind his innocent Life, as he was troubled with the Sting of Conscience for his Omissions in Government.

This Character, how parallel soever it was with King *Charles* the First, tho I do not find he had any Sting of Conscience for his Omissions and Transgressions in Government, which brought upon himself and the Nation all the Miseries and Calamities of the late Civil Wars, and wherein he persisted to the last, bears no Proportion to the voluptuous and dissolute Life of King *James*, accompanied with his profane Swearing in Passion, and even in his usual Conversation, whereby he became not only contemptible, but by his Example, the generality of the *English* Nation became debauch'd in their Manners and Conversation, to the Scandal and Contempt of it in other Nations.

The Death of *Philip* the 2^d, made the Passage to a Peace between *England* and *Spain*, whereto both Kings were equally disposed, more smooth and easy. Yet *Philip* the 3^d, before he would openly seek it, by an Ambassador from the Arch-Duke *Albert*, (Governor of *Flanders*) felt the Pulse of the Court, how it stood affected to a Peace with *Spain*, which beat high towards it, so as soon after it followed; which as it was most beneficial to the *English* Nation, so it had been to *Spain*, if it had been as sincerely observed by King *James*, as it was by *Philip*.

Henry the 4th of France, tho spited, as 'twas said, that King James should not only come so peaceably, but with universal Acclamations to the Crown of England, whereas he laboured with such difficulty above seven Years to attain that of France, and at last was forced to a dishonourable Submission to the Pope, Clement VIII. Yet being a Prince of great Prudence in Peace, as well as fortunate and victorious in War, sent Monsieur de Rosny, Great Treasurer of France, to renew the Treaty of Peace and Commerce formerly made between Queen Elizabeth and him, which was without any difficulty done.

The King being thus at Peace Abroad and at Home, not only in England but in Ireland, as if the Wars expired there with Queen Elizabeth, he not only pardoned the Earl of Tyrone, the Head of that Rebellion, but by Proclamation declar'd he was restor'd to the King's Favour, and to be honourably used of all Men.

But how pleasing soever the King's coming to the Crown of England was to the English Nation, it seems it was not so, or something else, to God; for an horrible Plague, greater than any since that in the Reign of Edward the 3d, accompanied his coming in. There were two Factions in England when the King came to the Crown, distinguished by the Names of Puritans and Papists, both dissenting from the Religion established in the Church of England: the King hated those, and wrote against these, chiefly for their Doctrine, of the Pope's Power of deposing Kings: These received the King after different manners, the Puritans had a huge Expectation of his Favour, because he was bred up in their Doctrine and Discipline; but were much deceived in it, for he rarely mentioned them but with Detestation, which he did not those of the Popish Religion.

However in January they obtained a Conference with the Church-Party at Hampton-Court, where the King himself would be Moderator, whilst most of the Nobility and Bishops were Spectators. You need not doubt which Party prevail'd, the Nobility and Bishops not only giving the King the Victory, with the Epithets of, *The Solomon of the Age, The most Learned*, but of being inspired.

But what Expectation soever the Puritans had of the King's coming to the Crown, the Papists had another Lesson taught them; for tho the Popish Conspiracy against the Person of Queen Elizabeth ceased upon the Death of the Queen of Scots, yet did not the Pope's Designs upon the Kingdom of England do so; but Clement VIII, in the Year 1600, sent Orders to his Emissaries in England, that the Catholicks should admit none to succeed the Queen, but one obedient to the Holy See; and in Conformity hereunto, Watson and Clark, two Ramish Priests, joined in Cobham's

Conspiracy, to have kept the King from coming to the Crown, and were executed for it as Traitors; but the Effects of the Pope's Instructions did not die with *Clark* and *Watson*, as you'll soon hear, and upon the 24th of *October* 1603, a Proclamation was made for Quietness to be observed in Matters of Religion.

Notwithstanding the Rage of the Pestilence, the first nine Months after the King's coming to *London*, all were Halcion-days, Proclamations, Pageants, Feastings, Creation of Lords and Knights, Reception of Foreign Ambassadors, erecting a Master of the Ceremonies after the Mode of *France*, &c. and in this time the Dignified Clergy, and those who courted to be so with the Favourites at Court, with whom the *Civilians* chimed in, had so rooted their Doctrine of the King's Absolute Power, and that, notwithstanding his Succession to the Crown of *Scotland* in the Life of his Mother, he succeeded by inherent Birth-right; and that Primogeniture is the Gift of God by the Law of Nature; and that in his Person was reconciled all the Titles of our *Saxon*, *Danish* and *Norman* Race of Kings; that being propensely disposed to receive the Impressions, they took such deep root in him; that in all his Life after he would never, with Patience, hear any thing to the contrary, however it was not long before he heard of it, as you shall hear. But we will stay a little, and see how inconsistently these Flatterers jumbled an Absolute and Hereditary Monarchy together, and how this King reconciled the Titles of the *Saxon*, *Danish* and *Norman* Titles to the Crown.

For no Hereditary Monarch that ever reigned in this World, but derived his Title from an Ancestor who had no Hereditary Right; nor did ever any Hereditary King succeed, but to govern by Laws and Constitutions, which were established before he became King: So however Absolute may be applicable to Conquerors, yet it is inconsistent with Hereditary Kings, especially in a Regular Monarchy, as that of *England* is, and those of old, as of the *Medes* and *Persians*, where the Will of the King alone could not alter the Laws and Constitutions of them. And now let us see how King *James* came to claim his Crown by inherent Birth-right, and how all the *Saxon*, *Danish* and *Norman* Titles came to be reconciled in his Person.

It's evident to me, that tho only God can make an Heir, and that tho Primogeniture be natural; yet God, in disposing Kingdoms, is not obliged to it; (tho *Grotius lib. I. Tit. II. de Jure Belli & Pacis*, is pleased to say, the Law of Nature is immutable by God himself) but reserves unto himself the Prerogative of disposing Kingdoms, without restraining the Succession of the King to Primogeniture, or Hereditary Succession. Here let us see in Epitome, which you may read at large in Sir *William Jones* his History of the Succession of the Kings of *England*, (before and after

after the Conquest, and the History of the Succession of the Crown of England, from King Egbert to Henry the 8th, printed in the Year 1690,) where you will see, that tho the Kings of England, both before and after the Conquest, succeeded in their Royal Families, yet many more were not in the right Line than in it; and tho before *Cæsar* invaded *Britain*, there was no other Government but Kingly, yet *Britain* was divided into so many petty Kingdoms, that tho it had not been barbarous, it would have been as difficult to have wrote the History of the Succession of their Kings, as to have wrote the History of the Succession of the Kings immediately after the Flood.

After the *Roman* Empire (oppressed by its own Weight, by the Division into Eastern and Western, its intestine Jars, and the over-flowing of barbarous Nations) was so torn and shaken, that the Legions which governed *Britain*, were recalled by *Ecilius* (the *Roman* General, under *Honorius* and *Valentinian* the 3d) to make Head against *Attila*; the poor *Britains* disarmed, and only made use of to serve their imperious Masters, and so utterly destitute of Martial Discipline, easily became a Prey to the *Picts* and *Scots*, (not subject to the *Romans*) who treated them more intolerably and tyrannically than the *Romans* had done: For Redress whereof, the *Britains* sought Succours from the *English Saxons*, who came to their Relief in the Year 409, (as *Bede* says, lib. 1. cap. 15. of the *Ecclesiastical History of the English Nation*;) but these *Saxons* used the poor *Britains* worst of all, and expelled the whole Race of them out of that part of the Island now called *England*.

Tho the *Saxons* had their Wills of the *Britains*, they were before the *Heptarchy* at continual Variance among themselves, and so after, that it is almost as unaccountable to give a History of the Succession of their Kings, as it was of the *Britains* before *Julius Cæsar*.

Egbert, about the Year 800, (viz. 391 Years after the *Saxon* Invasion) was called the first of the *Saxon* Monarchs; (tho the Kingdom of the *Mercians* was not united to his Monarchy) who by Merit as well as Birth, obtained the Dignity, and succeeded *Brithric*.

Ethelwolph succeeded *Egbert* in the Kingdom of *Westfax*, but not to those of *Kent*, *Sussex* and *Eastfax*, or *Essex*, these being given by *Egbert* to *Ethelstan*, *Egbert's* younger Son.

Ethelwolph by his Will divided his Kingdoms between his two eldest Sons, *Ethelbald* and *Ethelbert*; to *Ethelbald* he gave the Kingdom of the *West Saxons*, to *Ethelbert* the Kingdom of *Kent*, and the Eastern, Southern and middle Angles. But there were two other Sons *Ethelred* and *Alfred*.

Ethelbert, after the Death of *Ethelbald*, succeeded him in the Kingdom of the *West Saxons*, and after the Death of *Ethelbert*,

Ethelred succeeded in the whole, viz. of the *West Saxons*, and of the Kingdoms of *Kent*, the *Eastern*, *Southern*, and *Middle Angles*.

Alfred, after the Death of *Ethelred*, by universal Applause, the famous, the youngest Son of *Ethelwolph*, succeeded.

Edward Son of *Alfred*, was chosen by the Nobles, on *Whitsunday*, in 901.

Athelstan, after the Death of *Alfred* (tho a Bastard) was elected by the Nobles, of whom 'twas said there was nothing ignoble in him.

But *Athelstan* dying without Issue, his younger Brother *Edmund* succeeded him without any Opposition; and tho he left two Sons, *Edwy* and *Edgar*, yet

Edred (*Edmund's* younger Brother) succeeded him.

Edwy, after *Edred's* Death (*Edred's* elder Brother's elder Son) succeeded; but being a vicious Prince, the *Mercians* and *Northumbrians* chose *Edgar* his younger Brother King in the Life of *Edwy*; and

Edgar, after the Death of *Edwy*, became King of the whole Nation.

Edward, Son of *Edgar*, after his Death, was chosen by the Bishops and Nobles, by the Command of his Father *Edgar*; but he being murdered by his Step-mother *Elfieil*, *Edward's* younger Brother *Ethelred* succeeded: And after his Death the *Saxon* Monarchy being rent in pieces by the *Danes* and *Saxons*,

Edmund Ironside (Son of *Ethelred*, by an obscure mean Woman) tho he had two half-legitimate younger Brothers, *Edward* and *Alfred*, born of *Emma*, *Ethelred's* Wife) was chosen King by one part of the Nobility, and *Canutus* the *Dane*, by another. Thus the whole legitimate Race of the *Saxon* Kings were excluded; one part choosing *Ironside*, a Bastard, the other *Canutus*, a Stranger to the *Saxon* Royal Race.

Edmund Ironside being treacherously murdered by his Brother-in-law *Edric*, *Edmund* leaving two Sons, *Edwy* and *Edward*,

Canutus the *Dane* became sole Monarch of the *Saxon* Monarchy: So that this was the beginning of the *Danish* Dynasty, which lasted not long.

Harold, Son of *Canutus*, succeeded him; and

Hardicanute his Brother succeeded *Harold*, neither the Issue of *Ethelred*, *Edward*, or *Alfred*, nor *Edwy* or *Edward*, the Sons of *Edmund Ironside*, so much as taken notice of; with this *Hardicanute* ended the *Danish* Rule, with the Slaughter and Expulsion of the *Danes*.

Edward, Son of *Ethelred*, called the *Confessor*, (Uncle to *Edwy* and *Edward*, Sons of *Edmund Ironside*) after *Hardicanute*, was advanced to the Royal Dignity; principally by means of Earl *Godwin* (a powerful and imperious Lord) upon the account of *Edward's*

ward's marrying the Earl's Daughter; so little was the Hereditary Succession of the Saxon Kings regarded: And that *Edward's* Reign might be more secure, this Earl *Goodwin* caused the Eyes of *Alfred*, the King's Brother, to be put out, and, some say, took away his Life.

Edward the Confessor growing old, having no Issue, and the Family of the wicked Earl *Goodwin* growing not only insolent, but intolerable to him, declared *Edward* the Son of *Edmund Ironside* (his Cousin) his Heir: And to the end he might better succeed, the King sent to the King of *Hungary* to return his Nephew *Edward*, (whom the King of *Hungary* had married to his Niece *Agatha*, Daughter to *Henry* Emperor of *Germany*) which the King of *Hungary* did; and upon *Edward's* return, the *Confessor* declared, that he or his Sons should succeed in his Hereditary Kingdom of *England*.

But the *Confessor* did not long hold in this Mind; for his Nephew *Edward* soon after dying, and leaving a Son *Edgar* unfit for Government, either as to his Body or Courage; he decreed that his Kinsman *William* Duke of *Normandy* (tho a Bastard) should succeed him in the Kingdom of *England*, which came to pass; and so a new Race of Kings have succeeded in *England* of the *Norman* Race, whose original Title was from a Grant of a King of the *Saxon* Race, and so the beginning creates little Title to an Hereditary Succession in the *Norman* Race. And now we'll see how an Hereditary Succession was observed in it; yet as in the *Saxon*, so in the *Norman* Kings, none succeeded who was not of the Royal Blood; as all the Kings of *Judah* were of the Family or Tribe of *Judah*.

William Rufus, the second Son of the Conqueror, succeeded, his elder Brother *Robert* then alive: So did

Henry the First, his elder Brother *Robert* living.

Stephen, the Son of the Conqueror's Sister, succeeded *Henry*, tho *Henry* left a Daughter *Maud*, or *Matilda*.

Henry the Second succeeded *Stephen*, *Maud*, *Henry's* Mother, yet living; so his Succession was not Hereditary, for *Heres non est vivens*.

Richard the First succeeded *Henry* the Second.

John succeeded *Richard*, *Arthur* the Son of *Jeffery*, *John's* elder Brother then alive.

Henry the Third succeeded *John*, *Eleanor* *Arthur's* Sister then alive, who was Heir before him. So that of seven Successions after the Conqueror, but one *Richard* the First, succeeded as Heir to his Father, or the Conqueror.

Admit *Edward* the First succeeded as Heir to *Henry* the 3^d, and *Edward* the 2^d, as Heir to *Edward* the First, yet *Edward* the 3^d did not succeed as Heir to *Edward* the 2^d, he being then alive.

Admit

Admit *Richard* the 2^d was Heir to *Edward* the Black Prince, eldest Son to *Edward* the 3^d, yet neither *Henry* the 4th, 5th, or 6th, were Heirs from *Edward* the 3^d, but the Descendants of *Phillippa*, the Daughter of *Lionel* Duke of *Clarence*, *John* of *Gaunt*'s elder Brother.

So that of the Succession of 14 Kings after the Conqueror, there were but four, viz. *Richard* the First, *Edward* the First and Second, and *Richard* the Second, which succeeded as Heirs to the Conqueror, or his Heirs.

Admit *Edward* the 4th succeeded right, as Heir to *Phillippa*, Daughter of the Duke of *Clarence*; yet if it be true, which *Richard* the 3^d says, (and which is confirmed by the Authority of the Act of Parliament 1 Rich. 3.) that *Edward* was contracted to *Eleanor* Boteler, before he married *Elizabeth*, then did not *Edward* the 5th (if it may be called a Succession) succeed right, nor could *Henry* the 7th claim any Right to the Crown of *England* in Right of his Wife *Elizabeth*, the eldest Daughter of *Edward* the Fourth.

But whether it be true or not, that *Edward* was contracted to *Eleanor* Boteler before his Marriage, yet *Richard* the 3^d succeeded not as Heir, *Edward* Earl of *Warwick*, the Son of *George* Duke of *Clarence*, *Richard*'s elder Brother, being then alive.

Of all the Kings of *England* that succeeded the Conqueror, *Henry* the 7th had the least Pretension to any Title to the Crown; for tho he were supposed to have been descended from *John* of *Gaunt*, Duke of *Lancaster*, yet it was the Duke's Paramour, *Katherine* Swinford, whose Issue by the Duke, tho by Act of Parliament they were legitimated to all other purposes, yet were not capacitated to succeed to the Crown of *England*: but if the Title of *Lancaster* had been preferable to that of *York*, and *Henry* had been of the legitimate Line, yet could not he have succeeded as Heir, his Mother, under whom he claimed, being then alive, and out-lived her Son.

Nor did the King's Marriage with *Elizabeth*, eldest Daughter of *Edward* the 4th, improve his Title to his Succession, the Marriage being subsequent to it; and before it the Crown, by Act of Parliament, was entailed upon *Henry* the 7th, and the Heirs of his Body; and after Marriage he never used her Name in calling any Parliament, or in any Proclamation, or the Coin, or passing any Act of Parliament; and as he reigned without her before Marriage, so he did after her Death, (for he out-lived her) tho she left two Sons, *Arthur* and *Henry* (after *Henry* the Eighth) and two Daughters, *Elizabeth*, Queen of *Scotland*, and *Mary*, after Queen of *France*.

It seems to me, that *Ferdinand*, King of *Castile* and *Arragon*, had the same Opinion, which *Richard* the 3^d, and the Parliament had,

had, that the Issue of *Edward the 4th* were not legitimate, for he would not assent to the Marriage of his Daughter *Katherine* with *Arthur*, Prince of *Wales*, so long as the Earl of *Warwick* (Son of the Duke of *Clarence*) lived; and there a fine Trick was found out to put the poor Prince to Death, for endeavouring to make his Escape out of the Tower with *Perkin Warbeck*, and in him ended the Masculine Line of the Race of the *Plantagenets*, who had governed the *English* Nation after *Stephen*, to *Henry the 7th*, above 340 Years. So that from the Conqueror to *Henry the 8th*, scarce one of four of the Kings of *England* succeeded in a right Line, as Heirs to the Conqueror.

As the *Saxon* Dynastie ended in *Edward the Confessor*, and the *Norman* began in the Conqueror, so it seems to me that the *Norman* ended in *Richard the 3d*, and another of the *British* was erected in *Henry the 7th*, who was the Son of *Edmund of Hadham*, the Son of *Owen Tudor*, by *Katherine* Daughter of *Charles the 6th* of *France*, Wife of *Henry the 5th* of *England*, and Mother of *Henry the 6th*. So that *Henry the 7th's* Title to the Crown of *France* was better than that to the Crown of *England*; for that of *England* was from a Maternal Ancestor, *Margaret* Countess of *Richmond*, no otherwise related to the Crown of *England*, than descended from *John of Gaunt*, by *Katherine Swinford* his Paramour: Tho I do not find that *Henry the 7th*, or any of his Descendants, ever assumed the Sirname of *Tudor*.

So that tho the Crown of *England*, neither in the *Saxon* nor *Norman* Race of Kings, was always Hereditary, so neither was the Succession to the Crown elective: For in elective Kingdoms, after the Death of one King, there is an Establishment of the manner of Elections; and in the mean time there are *Custodes Regni* appointed, whose Power ceases upon the Election of a King; but neither of these were ever heard of in either of the *Saxon* or *Norman* Race: and tho sometimes it's said the Kings were chosen, as of *Edward the Son of Alfred*, by the Nobles, and so of *Athelstan*, and so in the *Norman* Race, *Henry the First* was said to be chosen for that he promised to abrogate all the Oppressions and Errors brought into the Government by his Father and Brother, (tho his eldest Brother *Robert* was then alive) and restore the good Laws of *Edward the Confessor*, and *Stephen* was chosen by the Clergy and *Londoners*, yet this was rather a form of Speaking in those days, than any formal Election; and the manner differed according to the different Humours of the Times.

Nor do we read that ever the Parliament meddled with the Succession of the Crown before *Henry the Fourth*; for tho the first Parliament of *Edward the Third* renounced their Allegiance to *Edward the Second*, and are said to have chosen *Edward the Third*, yet they went no further; and such an Election was no more than

a Declaration of their Submission, as when the Council declared *James* the Second King.

But whether the Crown of *England* was Hereditary in the *Saxon* and *Norman* Race, it's evident it was not so in this *British* Race; for as it began in *Henry* the Seventh, so it was entailed by Act of Parliament upon him, and Heirs of his Body before his Marriage with *Elizabeth* the eldest Daughter of *Edward* the Fourth. So the inheritable Right of *Edward's* Issue, and all the *Norman* Race was barred by this Act.

Before we proceed in the Succession of the *British* Race, we'll take a view of the Genealogy of it.

John of Gaunt, by *Katherine Swinford*, had Issue *John*, created Earl of *Somerset*, who had Issue *John*, created Duke of *Somerset*, who had Issue *Margaret*.

After the Death of *Henry* the Fifth, *Katherine* his Wife (Sister of *Charles* the Sixth of *France*) married *Owen Tudor*, a *Welch* Gentleman, who had Issue *Edmund* of *Hudham*, created Earl of *Richmond*, who married *Margaret* Daughter and Heir of *John* Duke of *Somerset*, who had Issue *Henry* the Seventh.

Henry the Eighth succeeded his Father without any Contradiction, for the Wars between the Houses of *York* and *Lancaster* had destroyed the whole legitimate *Lancastrian* Line, and *Richard* the Third, after the Murder of his Brother *Clarence*, and Death of *Edward* the Fourth, had murdered his two Nephews, *Edward* and *Richard*, (Sons of *Edward* the Fourth) and himself was killed in the Fight in *Bosworth-fields*; and after that *Henry* the Seventh had put *Edward* Earl of *Warwick* (Son of the Duke of *Clarence*) to Death, none of all the Royal Line of the *Plantagenets* were left to be Competitors with him; yet his Succession could not be Hereditary, for his Grand-mother, under whom his Father claim'd, out-lived her Son, and so *Henry* the Eighth could not claim from her. Yet this is observable, That as his Father, *Henry* the Seventh, entailed the Succession of the Crown of *England* upon the Heirs of his Body, so by Act of Parliament, (28 *Hen.* 8.) *Henry* the Eighth might dispose of the Succession of the Crown by his Will, for want of Issue of his Body; so little was the inheritable Succession of the Crown of *England* regarded by these Kings of the *British* Race.

It seems the Council in *Edward* the Sixth's Reign, had as little an Opinion of the Hereditary Succession of the Crown, as the Parliament had in the Reign of *Henry* the Eighth, for by the Advice of *Edward's* Council, he by his Will disposed of the Succession to his Cousen the Lady *Jane Gray* (Grand-daughter to *Edward's* Aunt, *Mary* Queen of *France*) contrary to the Will of his Father *Henry* the Eighth, which ordained his Daughter *Mary* to succeed *Edward*, in case he died without Issue.

I say, that by the Law of Inheritance in *England*, Queen *Mary* could not inherit the Crown from *Edward*, she being but of half-Blood to him; and by the same Reason Queen *Elizabeth* could not inherit to Queen *Mary*; but *Mary* the Daughter of *James* the fifth of *Scotland*, being of the whole Blood to *Edward*, and descended from the elder Daughter of *Henry* the Seventh, could.

For the Opinion of the Judges, after King *James* came in, that the Succession of the Crown of *England* differs from that of the Inheritance of Subjects in regard of an *Alien* born, and those of half Blood may inherit the Crown; it's *Gratis dictum*, and said to please the King; for there never was any such usage in *England*, nor any such Act of Parliament to warrant their Opinion.

But admit the Crown of *England* were inheritable from *Henry* the Seventh, and Half-Blood no Bar to the Succession, yet *Mary* and *Elizabeth* could not both succeed; for one of them was Illegitimate, *Elizabeth* being born in the Life of *Katherine* Queen *Mary's* Mother.

If the Parliament in the Reign of *Henry* the 8th had little or no Opinion of the Inheritable Succession of the Crown of *England*, and therefore impowered the King to dispose of it by Will: The Parliament in the Reign of Queen *Elizabeth* had less, and therefore often petitioned her, and that with Importunity, to declare her Successor without Consent in Parliament, and declared it 13 *Eliz. Cap. 1.* to be High Treason to affirm that the Crown of *England* might not be disposed of by Act of Parliament in her Life, and a *Premunire* after her Death. Here I make these Remarks upon the Race of the *Plantagenets*, and the Succession of the *British* Line, that as the *Plantagenets* inherited the Name from *Jeffery* Duke of *Anjou*, who was never King of *England*; so *Henry* the 7th, if he had any Title, derived it from *John* of *Gaunt* (by an Illegitimate Succession) who never was King of *England*.

From *England* we step into *Scotland*, and see how the Hereditary Succession was observed there after the Reign of *Alexander* the 3d, in whom the direct Line of the Race of their Kings failed, which was, so near as I can compute, about the Year 1278, and leave the Succession of their 93 Kings before, to the Scrutiny of the *Scottish* Antiquaries and Heralds.

The *Scots*, if they be not clearer in the Genealogy of their 93 Kings before *Alexander* the 3d, than my Author is of retrieving it after the Death of *Margaret* Daughter of *Alexander* the 3d, do make but a blind Genealogy of their 93 Kings before; however we'll take it as we find it.

David, Brother of *William* King of *Scotland*, (but whether *William* was Father, Brother or Uncle to *Alexander* the 2d, my Author says not) and Earl of *Huntingdon*, had Issue by *Maud*, Daughter to the Earl of *Chester*, three Daughters, *Margaret* married

ried to *Allen of Galloway*, the second (not named) was married to *Robert Bruce*; the third to *Henry Hastings Earl of Huntingdon*.

Allen of Galloway had a Grand-daughter, named *Dornagil*, married to *John Baliol*.

Bruce was Great Grand-child to the second Daughter of *David Earl of Huntingdon*; but being a Male, pretended he was to be King before *Dornagil*, a Female, though a Degree nearer, and descended from the elder Sister. *Henry Earl of Huntingdon* made no claim. So the Right between *Baliol* and *Bruce* was referred to the Determination of *Edward* the first, King of *England*, who adjudged the Right to be in *Baliol*, and soon after *Baliol* by *Dornagil* had a Son named *Edward*; so that *Bruce's* Pretension of Title as being Son, vanished by the Birth of *Edward Baliol*, being descended from the eldest Sister. But

The Scots (or a prevailing Party) not liking *Baliol's* Reign, in the Year 1306 crowned *Robert Bruce* King.

In the Year 1310 *Bruce*, by Act of Parliament, had the Crown of *Scotland* entailed upon him and his Heir-male; and for want of Issue to his Brother *Edward*,

This *Robert* had Issue a Son named *David*, and a Daughter married to *Robert Stuart*, and by Act of Parliament settled the Crown upon his Son *David*; and for want of Issue by him, to *Robert Stuart*, his Grand-child by his Daughter. So here is the Succession of the Crown of *Scotland* twice differently settled by Parliament, to the disinheriting of *Edward Baliol*.

But in the Year 1332 *Edward Baliol* (the right Heir) was received and crowned King of *Scotland*. After that, *David Bruce* recovered the Kingdom of *Scotland*, and afterwards was taken Prisoner by the Queen of *England*, in the Absence of her Husband *Edward* the 3d in *France*, and being released, he died Ann. 1370.

Robert Stuart (Grand-son of *Robert Bruce*, by his Daughter) succeeded *David*, who married *Euphemia* Daughter of the Earl of *Ross*; but before he was King, had Issue by *Elizabeth Moor*, his Concubine, two Sons, *John* and *Robert*, and by the Queen he had Issue *Walter Earl of Arbol*, and *David Earl of Strathern*; yet by Act of Parliament the King disinherited his Legitimate Issue, and settled the Crown upon his Issue by *Elizabeth Moor*, from which Issue all the Kings of *Scotland* have since descended.

This was the most unaccountable Accident, if we consider the Cause and Consequence (I think) that is recorded in any History, That a King and Parliament, by the Importunity of a Slut, should disinherit his Legitimate Offspring from the Succession to the Crown of *Scotland*, to advance her spurious Issue.

It's true, for some Reasons of State, the right Heir is set aside, as *Edward*, Son of *Ethelred* (after the Confessor) being young, and not a fit Match to oppose the Danes, *Edmund Ironside*, tho illegitimate,

mate, for his Strength and Courage, was said to be chosen King, as most likely to withstand the *Danish* Invasions; so *Edward the Confessor* observing the heavy and slow Nature of *Edgar* (the Grandson of *Edmund Ironside*) not to be a fit Match to oppose the turbulent aspiring Faction of *Harold*, and his Family, named *William Duke of Normandy*, his Successor: but none of these were Reasons for the Deposing the Earls of *Athol* and *Strathern*, being for ought I find, much better qualified to reign than either *John* or *Robert*, the Issue of *Elizabeth Moor*; for *John* was of a heavy and unactive Disposition, not fit to govern, which made the King his Father to constitute his younger Brother *Robert* Vice-Roy, a Man of a violent and inveterate Disposition. So that these three Dynasties, viz. the *Norman*, *British* and *Scotish*, were all derived from spurious Originals; and as *Henry the 7th* was descended from *John of Gaunt* (who was never King) by *Catherine Swinford*, so is the Race of Scotland from *Robert Stuart*, the first of that Name (before he was King) by *Elizabeth Moor*. †

But though the Parliament erected this Dynasty of the Kings of Scotland, yet this did not cease their Power of altering the Succession of it in a right Line: For *James the 2d* had two Sons, *James the 3d*, who succeeded him, and *Alexander Duke of Albany*.

Alexander married two Wives, the first was a Daughter of the Earl of *Orkney*, by whom he had a Son named *Alexander*, and after married a Daughter of the Earl of *Bulboign*, by whom he had a Son named *John*; yet in *James the 5th* his Reign, *John* was by Parliament declared the second Person of the Kingdom, and next Heir to *James the Fifth*, notwithstanding the Claim and Protestation made by *Alexander* (*John's* elder Brother) against it. And the Scots out of Parliament assumed a Power not only of altering the Succession of their Kings, but of deposing them: For in the Year 1567, they deposed Queen *Mary*, (the Daughter of *K. James the 5th*) and set up King *James the 6th* (after King *James the 1st* of England) an Infant (scarce 14 Months old) in her stead; and by this Title he reigned in Scotland twenty Years in his Mother's Life, and to his dying Day owned this Title.

Yet this King, and his Son, and two Grandsons after him, gloried in declaring their Titles to be by inherent Birth-right, and that they were accountable only to God for all their Actions: Here (how truly let the Reader judge) the Scene was laid, upon which they played their designed Game, which did not end so.

I do not account the Dynasty of the Kings of England in the *Scotish* Race since Queen *Elizabeth*, to be new in the Succession of the Persons of the four last Kings, I mean King *James the 1st*, King *Charles the 1st*, King *Charles the 2d*, and King *James the second*; yet I say it was new in the Exercise of it, and such as none of the *Saxon*, *Danish*, or *Norman* Race since *Henry the 3d*, or of the *British* Race

Race, ever pretended to claim : But in regard it has put the Nation into such a Ferment for above 80 Years, and which, if God pleases not to put an end to, may prove as fatal to these Nations, as the Feuds between the *Guelphs* and *Gibelines*, did for above 300 Years overwhelm *Germany* and *Italy* in most horrible Blood-shed and Devastation, we are more particular in taking a View of the Original of it.

From the time of the King's coming to *London*, May the 7th, to the 11th of *January*, little more than eight Months, *Stow* takes notice of twelve Proclamations, and upon the 11th of *January* out comes another for calling a Parliament, which though new for the manner, yet more new for the Substance, and such as never before was heard of in *England* : And that we may the better take a view of the success of the Parliaments of *England* in this King's Reign, from this we will stay a little, and consider the Constitution of a Parliament, and the principal Ends of its meeting.

The King is the Head, Principle and End of the Parliament ; the Lords Spiritual and Temporal, and Commons, which are made up of Knights of the Counties of *England* and *Wales*, Citizens sent from Cities, Burgesses sent from Corporations, and Barons sent from the *Cinque Ports*, which do not differ from Burgesses, but only in Name, are the Body ; the Temporal Nobility sit in Parliament in their personal Capacities, but the Spiritual Nobility do not so, but in right of their Bishopricks, which they hold of the King by Barony ; and the Commons are said to be the Representative-Body of all the Commons in *England* ; not Noble by Birth, or in their Politick Capacities, as the Bishops are : and in this Assembly resides the Supreme Authority of the Nation, which as they make Laws for the publick Benefit, so are they loose from them, and are not obliged to them.

As the King is freed from the imputation of Tyranny in sanguinary Laws, and of Oppression in taxing the Subjects ; for how can the Subjects complain of either, when their Representatives in Parliament promote them ? So does a Parliament discharge the great Objection against Hereditary Monarchies, that tho Princes see only with their own Eyes, and hear with their own Ears, as other Men do ; yet so as it is impossible without a true Representation of the State of their Subjects, they can see or hear of the true State of them ; whereas Minions and Flatterers, whose Interest is different from that of the Kingdom, not only conceal the true State of the Nation, but make false Representations of it, to raise themselves tho out of the publick ruine : but the Parliament is the Eye of the Nation, which sees the Abuses, which Flatterers by abusing the King's Name, and making it subservient to their Interest, impose upon it. The great Ends of the Meetings of Parliament are, first, to redress the Grievances of the Nation, if any be, by representing them to the King.

Secondly,

Secondly, to punish Men, which are out of the reach of the ordinary Rules of Justice, which either abuse the King's Name to attain their Ends, or may prove dangerous to the Government. Thirdly, to make Laws against growing Evils, and to repeal Laws which have been found inconvenient to the Nation. And fourthly, to supply the King upon extraordinary Occasions for Support of the Nation, as Times and Accidents may happen.

Heretofore the Meetings of Parliament were so frequent, that Sir *John Thompson*, in his Preface to the Earl of *Anglesey's* Memoirs, takes notice, that from the first of *Edward* the 3^d, to the 14th of *Henry* the 4th, which was but 85 Years, there are 72 Original Writs for the Summons of Parliament; so that if you allow forty Days from the Tests of the Writs to the Returns, and but one Month for the Sittings of Parliament, there will not be a Year's Interval between the Dissolution of one Parliament and the Summoning another: and Mr. *Johnson* proves that they were annual, and fixt to meet on the first, or the Kalends of *May*, which continued down to *Edward* the 1st, how or whether discontinued by *Edw.* the 2^d I cannot tell; however, there are two Laws yet in force for the annual Meeting of the King in Parliament, one the 4th of *Edw.* the 3^d, c. 14. the other 36 *Edward* 3, c. 10. and when Parliaments thus frequently met, Grievances were nipt in the Bud; the Courts of Law kept to the Administration of Justice uprightly; the Ambition of great Men restrained; Factions and Innovations suppressed: and when the Parliament met thus frequently, the King had an Account of the State of the Nation, and upon Redress of Grievances, if any were, the Parliament in acknowledgment of their Duty gave the King a Gratiuity, sometimes a Fifteenth, other times a Subsidy, and at other times a Subsidy and a Fifteenth, and sometimes a Subsidy and two Fifteenths; but never more before the 35 of *Eliz.* and the King in return, granted a general Pardon to his Subjects, with such Exceptions as the Parliament pleased: and thus a mutual Love and Understanding between the King and his Subjects was nourished and encreased.

Whereas by the long discontinuance of Parliaments, Grievances multiply and take Root, so as they become so much more difficult to be redressed, by how much longer the Discontinuances last: The Favourites by their flattering the Prince, not only keep him in Ignorance of the State of his Subjects, but fix the Prince so to their Will, that it becomes so habitual in him, that the Prince prefers them before his Subjects, and their Flatteries before the Advice of his Parliament, and often takes their parts before that of the Parliament and Nation.

These long Intervals of Parliaments you'll see will beget long Parliaments, and the Members get to be chosen by the Favour of great Men, and vast Expence; so that the Grievances which the Parliament

should redress, become diffused into the Body of the Parliament, than which nothing can be more dangerous to the Constitution of Parliament. Besides, that the publick Business may not be interrupted during the Sessions of Parliament, the Members of both Houses have Privileges whereof they are the only Judges, both in their own Persons, and of their Servants, whereby they are exempted from Arrests, or any Process at Law, which is not only grievous to the Subjects, but oft the Ruine of them. But now it's time to see, what the King's Proclamation for calling his first Parliament tended to.

Before King *James* his coming to the Crown of *England*, the Election of Members in the House of Commons was so free, that the Letters of the King, or any Noble Man, to chuse a Member, was judged Cause sufficient to render the Election void; but the King by this Proclamation gives order, what Sorts of Men, and how Qualified, should be chosen by the Commons, and concludes, *We do hereby by these Presents, That all Returns, and Certificates of Knights, Citizens and Burgeses, ought and are to be brought to the Court of Chancery, and there to be filed upon Record; and if any be found to be made contrary to this Proclamation, the same is to be rejected as unlawful and insufficient, and the City or Borough to be fined for the same; and if it be found that they have committed any gross or wilful Default or Contempt in the Election, Return, or Certificate, that then their Liberties, according to the Law, are to be seized as forfeited: And if any Person take upon him the Place of a Knight, Citizen or Burges, not being duly elected and sworn, according to the Laws and Statutes in that behalf provided, and according to the Purport, Effect and true Meaning of this our Proclamation, then every Person so offending to be fined and imprisoned for the same.*

Never was such a Prelude to the Meeting of a Parliament, by any of the Kings of *England*, either of the *Saxon, Danish, Norman, or British Race*: and if the King in the Beginning thus extends his first Note above *ELA*, to what Pitch will he strain his Prerogative hereafter? However since Forfeitures of Charters, Fining and Imprisoning of Members not elected and returned according to this Proclamation, were the Penalties imposed by it for the better Execution, it might have been declared, who should judge of these Elections and Returns, or by what Law?

It fell out unluckily, I think I may say designedly, that upon the opening of the Parliament, several of the House of Commons, one of which was Sir *Herbert Crofts*, coming to hear the King's Speech in the House of Lords, had the Door shut upon them, and were repulled by a Yeoman of the Guard, one *Bryant Cash*, with the uncivil and contemptible Terms of, *Goodman Burgeses you come not here.*

The King, in a long and tedious Speech (which you may read at large in *Stow's Chronicle*) after he had expressed his Thanks to the whole Nation for their Universal Acclamations, in receiving him for their undoubted Sovereign, which so much conduced to their Happiness in the Union of all Claims in his Person, being the undoubted Heir of *Hen. 7.* and *Elizabeth* the Eldest Daughter of *Edward* the 4th, wherein the Titles of the Houses of *Tork* and *Lancaster* were reconciled: He tells them the Wonders which he will do, both in reference to the inward and outward Peace of the Kingdom, which how well he performed, you will hear hereafter: But as to the Glory which he ascribes to himself of being King by inherent Birthright from *Hen. 7.* and his Queen, I think he could not have taken a worse Topick for what he so much gloried in.

For no hereditary Monarch has a better Title to his Crown, than the Ancestor from whom he first claims, had; and it is evident, *Henry* the 7th had no Colour of Title to the Crown of *England* by Inheritance, being only descended from *John* of *Gaunt*, by *Katherine Swinford* his Concubine, when *John* of *Gaunt's* Wife was alive, nor could the King claim any Title from the Wife of *Henry* the 7th, for *Henry* himself would never own she had any, reigning not only during her Life without naming her in the Coins, Proclamations or Laws, but after her Death; and was not only crowned without her, but called a Parliament without her, ere he was married to her, and had the Crown entailed upon him, and the Heirs of his Body, before he married her. Besides, there is no Averment against an Act of Parliament, and the Act of the first of *Richard* the 3d declares all the Issue of *Edward* the 4th by the Lady *Grey* (the Mother of *Henry* the 7th's Wife) to be Illegitimate, and so incapable of any Inheritance to the Crown of *England*.

But how edified soever the Commons were with the King's Speech, they were little pleased with the Yeomen of the Guards usage of their Members, which in due time the King shall hear of. However the King, who, since his coming in, had been acquainted only with Flatteries, introduced with the Epithet of *most sacred*, (which I find rarely applied to any of his Predecessors, and how properly applied to him, giving himself up to a dissolute and prophane Life, let another judge) was buoyed up with a mighty Expectation of the Success of his Proclamation and Speech, which did not succeed accordingly.

The Parliament met on *Monday* March the 19th, and a Debate hapning in the House of Commons about the Return of the Election of *Sir Francis Goodwin* and *Sir John Fortescue*, for Knight of the Shire for the County of *Bucks*, the Commons, *Friday* the 23d upon a full hearing determined *Sir Francis* to be lawfully elected and returned.

An. Reg. 2. An. Dom. 1604. *Tuesday*, March the 26th, The
D 2 Lords,

Lords, by Sir *Edward Coke* and Dr. *Hne*, sent a Message to the Commons, that the former Committees may (in a second Conference to be had) have Authority to treat touching the Case of Sir *Francis Goodwin*, the Knight of *Bucks*, first of all before any other Matters were proceeded in.

The Commons returned Answer, that they do conceive that it did not stand with the Honour of this House to give an Account of their Proceedings and Doings: but if their Lordships have any Purpose to confer for the Residue, that then they will be ready at such time and place, and such number as their Lordships shall think meet.

Sir *Edward Coke*, &c. delivered from the Lords, that their Lordships taking notice in particular of the Return of the Sheriff of *Bucks*, and acquainting his Majesty with it, his Highness conceived himself engaged, and touched in Honour, that there might this be some Conference of it between the two Houses, and to that end signified his Pleasure unto them, and by them to House.

The Commons by their Speaker give their Reasons to the King, why they cannot confer with the Lords: The King in return, charges the Commons to admit a Conference with the Judges: the Commons give Reasons and answer Objections, why they cannot confer with the Judges, and the 3d of April, deliver them at the Council-Chamber by Sir *Francis Bacon*, desiring that their Lordships would be Mediators in behalf of the House for his Majesty's satisfaction: the King in return, commanded as an *Absolute King*, that there might be a Conference between the House and Judges.

The House upon return hereof, resolved to confer with the King, in presence of the King and Council, and named a select Committee for the Conference; but the Success being doubtful, Sir *Francis Goodwin* fearing this might cause a Rupture between the King and the House, and to remove all Impediments to the worthy and weighty Causes, which might by this time have been in a good furtherance, desired another Writ of Election for a Member in his stead.

Hereupon, and other Accidents succeeding, wherein the Commons supposing themselves aggrieved; the Commons upon the 16th of June, in an humble Apology to his Majesty, represent their Privileges, and wherein they conceive themselves aggrieved.

The Stubborness of the Commons, for so the King would have it, so dissonant from the Flatteries he had constantly sounding in his Ears, and of being an Absolute King by *Inherent Birth-right*, put the King so out of Conceit with Parliaments, that in all his Life, till the last Parliament of his Reign when necessity brought him to it, he was never reconciled to them. But that we may more clearly see what followed, we will look back into the Reign of Queen *Elizabeth*.

There

There were three things which the Queen was impatient of being debated in Parliament, the Succession of the Crown after her Death, her Marriage, and the making any Alterations in the Church, as it was established in the first Year of her Reign.

But the Commons having a fearful Eye of a Relapse into Popery, after the Nation had been freed from it, and the Queen of Scots being zealously addicted to the *Romish* Religion, and having not only assumed the Arms of *England*, as next Heir to Queen *Elizabeth*; but upon her Return from *France* into *Scotland*, by many Embassies solicited Queen *Elizabeth*, that she might be declared her Successor, in case Queen *Elizabeth* died without Heirs of her Body: To prevent this, the Commons in manifold Addresses to the Queen, petitioned her to marry, and declare her Successor; and after the Duke of *Norfolk's* Conspiracy, and the Rebellion in the North under the Earls of *Northumberland* and *Westmoreland*, wherein it appeared the Queen of Scots was privy and consenting, in all the Parliaments (I think) from the 5th of *Elizabeth* to the Queen of *Scotland's* Death, the Commons were importunate with the Queen to cut her off, which you may read at large in the Journals of the Parliaments of Queen *Elizabeth*, set forth by Sir *Simon D' Ewes*.

The Queen fixed in these Resolutions, did often forbid the Parliament, upon their Allegiance, to enter into Debates upon them: yet some zealous Members, the principal of which was one Mr. *Peter Wentworth*, as well in the case of the Queen of Scots, as for some Reformation in the Church, did several times endeavour to have them debated, upon which the Queen committed them to the Tower, tho soon after they were discharged: This the Commons in their Apology to the King take notice of, and pray that this be no Precedent for the future, but that their Debates in Parliament may be free: but they shall find that this King's little Finger, and his Son's after him, shall be heavier upon them than Queen *Elizabeth's* Loins.

However this Apology of the Commons tended to a Rupture between the King and them within, yet the King was resolved to have Peace without the Kingdom, how inconsistent soever the Terms were; and to that end upon the 18th of *August* following, being the second Year of his Reign, he concluded a firm Peace with *Philip* the 3d of *Spain*, and *Albert* and *Isabel* Arch-Dukes of *Austria*, &c. and also a Treaty of Commerce, which as it was the most beneficial to the *English* Nation, so it was difficult, if not impossible, to observe the Peace: the King, as he had managed it, made the Treaty of Commerce to be but little beneficial to the Nation.

For the Year before the King had renewed the Treaty of Alliance which Queen *Elizabeth* had made with the *Dutch* States, where,

where, tho the King was not obliged to maintain such a number of Men for the *Dutch* Support against the *Spaniards*, to be repaid at the end of the War, where by the Treaty with the Queen, Anno 1598. the *Dutch* were not only to pay, but to repay the Queen yearly 100000 *l.* till a Peace was made with *Spain*, when they were to pay her two Millions of Money, with the Interest of 10 per Cent. deducting the 100000 *l.* per Annum they were to pay; yet by the fourth Article of the said Treaty it was agreed, That neither the Kings of England nor Spain, shall themselves give, or shall consent to be given by any of their Vassals, Subjects or Inhabitants, Aid, Favour or Counsel directly or indirectly, on Sea, Land, or fresh Waters; nor shall supply or minister, or consent to be supplied or ministered, by their said Vassals, Inhabitants or Subjects, unto the Enemies or Rebels of either Part, of what Nature or Condition soever they be (whether they shall invade the Countries and Dominions of either of them, or withdraw themselves from their Obedience and Subjection) any Souldiers, Provision of Viſuals, Monies, Instruments of War, and whatsoever Aid else to maintain War: and the five Articles renounce all former Leagues, Confederacies, Capitulations and Intelligences to the contrary.

But tho these two Articles pointed as directly as the Wit of Man could devise, and to which King *James* ſware, to withdraw the *English* and *Scotch* out of the *Dutch* Service against the *Spaniard*, yet had the King no more Courage to do it, than he had to demand the 600000 *l.* now due from the *Dutch* to him, by their Treaty with Queen *Elizabeth* in 1598. And King *James* to palliate this, made it worse, by granting the King of *Spain* Licence to raise what Forces he could in any of his Dominions to fight against the *Dutch*; so prodigal was the King of the Expence of his Subjects Blood Abroad, to keep an unsettled Peace at Home, where in he might follow his Pleasure and Luxury, and aspire to a Dominion over his Subjects, which none of his Predecessors ever claimed.

King *James* in the 7th Article excuses the delivery of *Flushing*, *Brill*, *Rammekins*, and other Forts in the *English* Possession in the *Netherlands*, to the King of *Spain*, because of the Contracts made between Queen *Elizabeth* and the States, by which she being engaged in Faith and Honour, it was not free for him to restore the same to the Arch-Dukes; yet, on the Word of a King, he promises to enter into a Treaty with the said States, wherein he will assign a competent time to them, to accept and receive Terms agreeable to Justice and Equity, for a Pacification with the Arch-Dukes, (to whom the King of *Spain* had assigned the Dominions of the *Low-Countries*) which if the States shall refuse, his Majesty from henceforth, as being freed from the former Conventions, will determine of the said Towns, according as it shall be just
and

and honourable, wherein the said Princes, his loving Brethren, shall find there shall be no want in him of those good Offices, which can be expected from a Friendly Prince. How well the King performed his Promise you will hear hereafter; but I find no time set by the King, when he entered into any Treaty herein with the States.

As the King of Spain and Arch-Dukes got but little by this Treaty of Peace, so did the *English* Nation, as the King had ordered it, get as little by the Treaty of Commerce: for if you consider Man in his Nature he is born naked, and the generality of Mankind have nothing to feed, clothe, provide an Habitation, or defend themselves with, but as they are assisted by other Men; and as they are born to nothing, but what they get from others, so if any rob or steal from another any thing, this will be an Injury to that other: Nor does Man, born in this poor State, know how to get, or be supplied by another with either Food, Raiment, or an Habitation, but as he shall be taught or instructed by another; so that after all, the generality of Mankind in their most perfect State, eat their Bread by the Sweat of their Brows, and in the Cares of their Mind. To debar therefore any Man from his honest Labours, whereby he gets his Subsistence, is a greater Violation of the Law of Nature, than to rob another, and equal to the depriving another by Injustice of an Estate whereon a Man lives, and is a greater Injury than the Tyranny of *Pharaoh* over the Children of *Israel*, in compelling them to make Brick, yet denying them Straw: for this imposed upon the *Israelites* a greater Hardship how to live, whereas that denies poor Men their Means of living; and by Consequence, it is a greater Tyranny and Injustice for any Man, or Company of Men, either by Law, or without Law, to arrogate to themselves a Monopoly in any lawful Employment exclusive to other Men, than to rob any of them; for this but hinders them in their Livelihood, whereas that takes from them all their Means of living.

Nor are Monopolies less impolitick than injurious; for the restraining the Labours and Industry of Men in any Profession, Art or Mystery, in any Country to a few, does not only hinder the Improvement of them in that Country, but makes open a Way to the People of other Countries, not only to enlarge, but improve them, as much to their Benefit, as to the Loss of that Country, where they are restrained to a few.

And if Monopolies be so wicked, impolitick and injurious, in restraining the Labours and Industry of Men, the monopolizing the Product of Mens Labour by Navigation in Foreign Trade is not less but more; for no Man will labour who cannot enjoy the Fruits of his Labour; and the great Benefit herein which *England* enjoys, is, that being the greater and better part of the Isle of

Britain, it abounds with more noble and better Ports (except *Ireland*) to vend the Product of Mens Labours upon the Materials which it abounds with, than any other Country. To monopolize therefore the Foreign Vent of our Manufactures to any Men, or Company of Men, is doubly injurious, not only to our Artificers in them, but to those Countries which might otherwise reap the Benefit of them, and by this Restriction gives other Countries the opportunity of supplying them.

Nor does the Injury and Impolicy of restraining the Foreign Vent of our Manufactures stay here, for by it infinite People might be supplied with manifold things from other Countries, as Pitch, Tar, Hemp, Flax, Bees-wax, Elephants Teeth, Raw Silks, all sorts of dying Stuffs, &c. whereof the Nation stands in need; which being restrained to a few, the Nation cannot be supplied by them, and so multitudes of Manufacturers are denied the Fruits of their Labours; and hereby they become so dear, that those who employ themselves in them, cannot without extraordinary Pains subsist, and thereby give the Foreign Vent of them to other Nations, where these are more plentiful and cheap.

Nor does the Injury and Impolicy of monopolizing of Foreign Trades end here; for as the Riches of *England* are derived from our Foreign Trades, so is the Strength and Glory of it founded in Navigation, which (Trade being a principle to it) will be so much lessened, as the Foreign Vent of our Manufactures and their Returns are restrained. We have thought fit to premise this, that a better View may be had of what follows.

The first day the King came to *London* after the Death of Queen *Elizabeth*, viz. the 7th of May, he issued out a Proclamation to cease the exacting all Monopolies and Protections that hindered Mens Suits in Law, and to forbid the Oppressions done by *Salt-Peter-Makers*, Purveyors, and Cart-takers; but this was too hot to hold.

For the Treaty of Peace and Commerce with *Spain* was no sooner made, but the King made a Monopoly of the Trade to *Spain* and *Italy*, by incorporating it in a Company exclusive to other Men: Hereupon the Parliament then sitting, made that memorable Law founded upon those unanswerable Reasons of a *National Interest*, and the manifold Inconveniences the incorporating those Trades in a Company brought to the Navigation of the Nation, both in the Foreign Vent of our Manufactures, and in their Returns, to the Ruin of infinite Artificers, Sea-men and Shipwrights, and to the Diminution of the King's Revenue: Whereupon these Trades were declared free, and have ever since continued so, to the ineffinable Benefit of this Nation.

But tho the Reasons in this Act extend to all other Beneficial Trades, as to *Turkey*, the *East-Country*, and *Hamburgh* Trades, and
to

to *Africa* and the *East-Indies*; yet all these Trades are monopolized into Companies, exclusive to other Men, as much to the Prejudice of the Nation, as the making the *Spanish Trade* free was beneficial to it.

About this time the Clergy (at least a Faction, which stiled themselves the Clergy) made an Attempt to try how far their Doctrine of *Absolute Power* in the King had taken root in him; they had gained their Point so far, as the King had declared his Command to the Commons as *Absolute King*, and now they'll see whether the King would assert it, and the Case was this.

Arch-bishop *Whitgift* (a Prelate of singular Piety and Humility) died the last day of *February*, in the first Year of the King, and Doctor *Richard Bancroft* (a Man of a rough Temper, a stout Football-player) as zealous an Assertor of the Rights of the Church of *England*, or rather a Faction of Church-men, who arrogated to themselves the Title (as *Julius* the 2^d was of the Papacy) exhibited to the King and Council 25 Articles in the Name of all the Clergy of *England*, called *Articuli Cleri*, which were desired to be reformed in granting Prohibitions, tho there were a Parliament and Convocation then sitting, which I do not find had any hand in it.

This Exhibition, as it ascribed an *Absolute Power* to the King, so it struck directly at the Constitution of Parliaments, the principal End of which is to redress Grievances and Abuses in the Nation; and if the King's Council, during the sitting of a Parliament, shall ascribe to themselves this Power, then the great End of Parliaments redressing Grievances and Abuses is in vain: However *Bancroft* herein, not only makes the King's Council to have a concurring Power with the Parliament, but paramount to it, by exhibiting these Articles in the sitting of a Parliament and Convocation: but the Judges gave so clear and distinct an Answer to them all, that the King did not think fit to meddle in them; yet did not *Bancroft* rest here, as you will hear hereafter. The Articles, and the Judges Answer to them, you may read at large in *Sir Edward Coke's* second *Institute*, tit. *Articuli Cleri*.

Whilst *Bancroft* was thus ascribing to the King this *Absolute Power*, and exalting a Faction of Church-men, above the true State of the Clergy, which is one of the three States of the Nation, and above the Nobility and Commonalty, which are the other two: The Popish Faction were plotting a Design, not only to destroy the Church of *England*, but the very Person of the King, with the Nobility and Commons convened in Parliament, which was to have been executed upon the fifth of *November* following, the day on which the Parliament were to meet.

The Popish Party hoped (and it may be not unreasonably) that the King, in regard of his Mother's Religion, was not averse to

to theirs, so that if he became not of their Church, (which in his Speech at the opening the Parliament, he owns our Mother-Church) at least hoped to have their Religion tolerated; whereas finding the King in his Speech, after he had declaimed against the Heresies and Abuses crept into their Church, and the Pope's having arrogated an Imperial Civil Power over Kings and Emperors, by dethroning and decrowning them with his Foot, and disposing of their Kingdoms; and the Jesuits Practice of assassinating and murdering Kings, if they be cursed by the Pope: That so long as they maintained these, they were not sufferable in the Kingdom: From this time forward, and it may be before, a Popish Crew contrived how to bring in their Catholick Religion, they cared not which way, so it might be done. At last it was agreed upon the opening of the Session of Parliament upon the 5th of *November*, one part of the Conspirators should blow up the Lords House, while the King, Prince, with the Nobility and Commons were in it (having prepared all things in a readiness) whilst another part should seize upon the Lady *Elizabeth* (after Queen of *Bohemia*) and proclaim her Queen: But the Plot being discovered, the Conspirators were defeated of both their Designs.

The Horror and Terror of this Conspiracy, (the Discovery whereof was industriously divulged and believed to be by the King's great Wisdom and Care) reconciled for a time all Differences between him and his Parliament; and the Parliament to gratify the King, the Clergy gave him four Subsidies at four Shillings in the Pound, and the Temporality three Subsidies and six Fiftieths, (which was threefold more than any Parliament, in one Session, gave Queen *Elizabeth*, before that of the 35 *Eliz.* notwithstanding the Payment of her Father's, Brother's and Sister's Debts, her expelling the *French* out of *Scotland*, the building, and repairing the Navy Royal, the Support of the *Reformed* in *France*, the subduing the Rebellion in the *North*, the Support of the *Dutch* in the *Netherlands*, the *Irish* War, and the Overthrow of the *Spanish Armada* in 88.) The Parliament enacted the Oath of Allegiance, which *Bellarmino*, under the Name of *Tortus*, wrote against, and *Andrews* Bishop of *Winton*, under the Name of *Tortura Torti*, defended it. The Parliament too ordained the Anniversary of the Fifth of *November*, to be celebrated for a perpetual Thanksgiving-Day for the King and Kingdom's Delivery from this Conspiracy. All Heats about *Prerogative* and *Privilege* were now laid aside; the Pulpits and our Universities rang with Declamations against the Heresies and Usurpations of the Church of *Rome*; and now the King gave himself wholly to Hunting, Plays, Masques, Balls, and writing against *Bellarmino* and the Pope's Supremacy, in arrogating a Power over Kings, and disposing of their Kingdoms; and thus the Case stood for four Years after, wherein I scarce find any thing worth mentioning.

This

This and the next Year was almost wholly spent in Debates, concerning the Uniting of the Kingdoms of *England* and *Scotland*, which the King earnestly solicited, and which ended only in Contests and Arguments, for the Houses of Parliament refused to join with the King in it: however the King obtained a Judgment in *Westminster-Hall* in a Case called *Calvin's Case*, that the *Post Nati* in *Scotland*, after the King's Assumption to the Crown of *England*, were free to purchase and inherit in *England*.

But whilst the King was thus wallowing in Pleasure, he wholly gave himself up to be governed by Favourites, to whom he was above any other King of *England* (except *Henry the 8th*) excessively prodigal, not only in Honours and Offices, but of the Revenues of the Crown, and Aids given in Parliament; and these being of both Nations, *Scotch* as well as *English*, made them to be the more intolerable: All things being at Peace Abroad, Publick Affairs were neglected, or scarce thought of, whilst the *Dutch* still grew more powerful at Sea, and without any Aid from the King, were Matches for the King of *Spain* by Land; and *Henry the 4th* of *France* was accumulating incredible Treasure at Home, and laying the Foundation of vast Designs Abroad, whereof the King took no notice, his Genius lying another way.

In these Debates at Home, and Lethargy of State of Foreign Affairs, the Prerogative-Clergy swelled the High Commission to such an height, that it was complained of as a Grievance in Parliament, as you may read in *Arthur Wilson's History of Great Britain*, fol. 46. Nay *Bancroft* this Year (notwithstanding the Judges Answer to the Articles exhibited to the King, against granting Prohibitions, and that the Parliament was still sitting) repeated his Exhibitions: But however the King inclined to favour *Bancroft*, he had not Courage enough to over-rule the Judges Answer to them, it may be for fear the Parliament should interpose, or indispose them to grant him more Money, whereof already he stood in great need.

But the Parliament, however they gratified the King for their Deliverance from the Popish Conspiracy, did not think fit to pour it forth so plentifully now in times of Peace, to be profusely thrown upon Favourites and Minions, who were no more Friends to them, than they to the established Church of *England*.

To supply the King's Necessities, as he made them, one Doctor *Cowell* (no doubt set upon by *Bancroft*, and those called the Church) the next Year after published his *Interpreter*, wherein he premises these three Principles: First, That the King was *Solutus a Legibus*, not bound by his Coronation-Oath. Secondly, That it was not ex *Necessitate*, that the King should call a Parliament to make Laws, but might do it by his *Absolute Power*. Thirdly, It was a Favour to admit the Consent of the Subjects in giving Subsidies.

Cowell's

Cowell's Interpreter, approved by the King, as the Civil Law was highly extolled by the King (See *Wilson*, fol. 46.) was not only printed, but publickly sold without Impunity; and this gave Encouragement to the publishing many others to the same purpose, among which one *Blackwood* published one, which concluded that we were all Slaves, by reason of the Conquest.

The Commons, tho they took no notice of *Bancroft*, and his Articles against Prohibitions, took Fire at these, and intended to have proceeded severely against him; but the King interposed, and promised to call in these Books by Proclamation, as he did, but they were out, and the Proclamation could not call them in, but only served to make them more taken notice of: But this had not the desired Effect of getting more Money, than one Subsidy and one Tenth, whereupon the King, by Proclamation, dissolved them the 31st of December 1609, after they had sat near seven Years, wherein the King set forth that he had proposed many things far differing and surpassing the Graces and Favours of former times, both in Nature and Value, in expectation of a good Conclusion of some weighty Cause which had been there in Deliberation, not only for the Supply of the Necessities of his Majesty's Estate, but for the Ease and Freedom of his Subjects: but these being the two last Sessions little taken notice of; and that the Members, by reason of the length of the Parliament, were debarred from the Hospitality they kept in the Country, and that divers Shires, Cities and Boroughs had been burdened with Expence of maintaining their Members, for these Reasons he dissolved them; so that they should not need to meet at the Day set by their Prorogation.

CHAP. II.

A Continuation of this Reign, to the Dissolution of the Second Parliament, 1614.

BUT how precarious soever the King was to get Money of the Parliament, he had not Courage enough to demand the 100000 *l.* per Annum by the Treaty between Queen *Elizabeth* and the *Dutch States* in 1598, whereby Eleven hundred thousand Pounds was due to him, much less to demand the principal Debt, viz. two Millions, and also two Millions and two hundred thousand Pounds due for eleven Years Interest, at 10 *l.* per Cent. Now, by the Mediation of several Princes, but especially by King *James*, this Year a Truce or Peace for twelve Years was concluded

cluded between the King of *Spain* and the Arch-Dukes, *Albert* and *Isabel*, and the *Dutch*; wherein the *Dutch* were declared *Free States*, and independent upon the Crown of *Spain*, or Arch-Dukes. But tho the King had not Courage enough to demand the Monies due to him from the *Dutch*, by the Treaty with Queen *Elizabeth*, he had so much as to enter into a Treaty with the *Dutch*, for a Tribute to be paid to him for License to fish upon the Coasts of *England* and *Scotland*: but the *Dutch* observed this no better than that with the Queen, and the King got less by it.

Long Parliaments beget long Intervals, in which Grievances become so multiplied and fixed, that they become so much more difficult to be redressed, by how much longer the Intervals are: And since the King could not get Money of the Parliament, and was afraid to demand any of the *Dutch*, let's see what Courses he took to get Money, during the Interval from this Parliament to the meeting of the next, which was five Years, and how the Case stood with them.

In the opening of the first Parliament, the King tells them, that he was so far from encreasing their Burden with *Rehoboam*, as that he had so much, as either Time, Occasion, or Law could permit, lightned them; and, at that time, had been careful to revise and consider deeply upon the Laws made against them, that some Overture may be proposed in Parliament for clearing those Laws by Reason (which is the Soul of the Law) in case they have been in times past, further or more rigorously executed by Judges than the meaning of the Law was, or might tend to the Hurt as well of the innocent as guilty Persons.

At the Dissolution of the Parliament, the King's principal Favourites were *Henry Howard*, (Brother to the Duke of *Norfolk*, whom Queen *Elizabeth* beheaded) tho a Papist, yet Lord Privy-Seal; *Robert Cecil*, Earl of *Salisbury*, Lord Treasurer; *Phillip* Earl of *Montgomery*, (for a certain Reason); *Thomas* Lord *Walden*, (Son of the Duke of *Norfolk*) after created Earl of *Suffolk*; and Sir *Henry Rich*, after Earl of *Holland*, *English*: the Earl of *Dunbar*, Sir *Alexander Hay*, and Sir *Robert Carr* (who in a short time shall overtop them all) *Scotish*.

There was a Story current in those Times, which I have heard from some credible Persons which did live in that time, That King *James* having given Sir *Robert Carr* a Boon of 20000 *l.* my Lord Treasurer *Salisbury*, that he might make the King sensible of what he had done, invited the King to an Entertainment, and so ordered it, that before the King should come at it, he should pass through a Room wherein he had placed four Tables, and upon each Table lay 5000 *l.* in Silver; when the King came into the Passage, he started, and was amazed at the sight (having never before seen such a Sum) he asked the Treasurer the meaning of

of it, who told the King, *It was the Boon he had given Sir Robert Carr : Swounds Man !* (the Oath he usually swore) *but five thousand should serve his turn*, and so for that time the Treasurer saved the King the other fifteen thousand Pounds.

To support these Favourites, and other of the King's Countrymen of less Note, was all the King's Care, notwithstanding his Foreign Affairs; or his Proclamation at his first coming to London against Monopolies, or his Speech at the opening of the Parliament : But since Money cannot be had by Parliament, other means must be found out.

There were many ways used for raising Monies during this Interval of Parliament : First, Monopolies which swarmed more than in any King's Reign before. Secondly, Payments for new invented Knighthoods, never before heard of in England in Times of Peace, called *Baronets* : the Price was 1000 *l.* and the King to quicken the Market, promised to make but 200 of them ; tho when this Market was done, he kept it up all his Life-time after. Thirdly, Tho the *Baronets* paid for their Honours, yet the King issued out Commissions for reviving the old *Obsolete Laws*, for making Men which could expend 40 *l. per Annum*, to compound for not being Knighted. Fourthly, Payments for being made Knights of *Nova Scotia*. Fifthly, The purchasing of *English* Honours at certain set Prices, a Baron at 10000 *l.* a Viscount at 15000 *l.* an Earl at 20000 *l.* Sixthly, Payments for *Scotish* and *Irish* Honours, I do not find set Prices of these ; *Scotish* Honours of the same Title to have the Precedence of an *Irish*, as a *Scotish* Baron, Viscount or Earl, to have the Precedence of an *Irish* : and tho an *English* Honour of like Degree had the Precedence of either of the other, yet if either of the other had a higher Title, he should precede an *English* Peer under a less ; as a *Scotish* or *Irish* Viscount shall precede an *English* Baron, so such an Earl shall precede an *English* Viscount. Seventhly, Compositions upon defective Titles. Eighthly, Compositions for *Affair* Lands. Ninthly, Monies for making Prince Henry Knight. Tenthly, Monies to marry the Lady *Elizabeth* to the *Palsgrave*. Eleventhly, A Benevolence. Twelfthly, Monies borrowed upon *Privy-Seals*, and never repaid, besides Sales of Lands, Woods and Fee-farm Rents, &c.

During this Interval of Parliament, was perpetrated a most horrible Murder upon the Person of Sir *Thomas Overbury*, which is the more remarkable if it be considered how far (tho the King detested the Fact) Favourites had the Ascendant over the King, and how the King influenced the Causes of this Murder ; and that the Story may more intirely consist, it will be necessary to borrow a little of common Fame.

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Sir Robert Carr was made Viscount Rochester the 25th of March 1610, and upon the 22d of April following, was made one of the King's Privy-Council; and having the Ascendant above all other Favourites over the King, he chose a Council of some Persons, how to advance himself in this great Power: Of these Sir Thomas Overbury (a Gentleman of brisk and lively Parts) was the chief, who had as much an Ascendant over the Lord Rochester, as he had over the King; and as Rochester was a Favourite, so was Thomas Earl of Suffolk, who had a Daughter named Frances, married to Robert Earl of Essex, Son of Robert cut off in the last Year of Queen Elizabeth, who after was General of the Army raised by the Parliament in the late Civil Wars.

Tho of disagreeing Humours, the Earl and Countess were of agreeable Years when they were married, both about the Age of twelve Years, and now had lived above ten Years without any Carnal Knowledge of one with the other (as both confessed when the Countess sued for a Divorce) whereto the Countess was intollerably bent: and if publick Fame may be credited, and which is attested by a Writer of the first 14 Years of King James his Life, chap. 7. she entred into a Conspiracy with one Ann Turner to have poisoned the Earl.

But how cold soever the Countess was in her Affections to the Earl, they were not less on fire to my Lord of Rochester; and that these Flames might soar in an equal height, the Countess, by the help of Mrs. Turner, procures one Doctor Foreman (as he was called) to bewitch Rochester into equal Desires of mutual Love with the Countess; and now Familiarity between the Countess and Rochester becomes publickly scandalous.

However the Earl continued his Love to the Countess, but withal acquainted her with the Dishonour she brought upon him, and more upon her self by her loose Life, which was now become so publickly taken notice of: this was so far from reclaiming the Countess, that it stung her to the quick, and instead of Reformation, she, by Letters to Mrs. Turner, who (the Countess says) is all her hopes of Good in this World, and by her to Dr. Foreman (whom she calls sweet Father, and subscribes her self his Affectionate Daughter, Frances Essex) endeavours to procure the Doctor to bewitch the Earl to Frigidity towards her.

Sir Francis Bacon, in his Charge against my Lord Rochester, after Earl of Somerset, at his Trial for the Murder of Sir Thomas Overbury, gives Sir Thomas hard words, as, That there was little in him that was solid for Religion, or Moral Vertue, but was wholly possess'd with Ambition and vain Glory, and was loth to have any Partners in my Lord of Rochester's Favour; and that to flatter my Lord in his unlawful Love with the Countess of Essex, Sir Thomas had made his Brags that he had won Rochester the Love of the Countess, by his Letters and Industry.

But

But these stoln Pleasures could not satisfy the Countess's Desires, and that she might enjoy them to be compleat, she endeavours, since the Design of poisoning the Earl did not succeed, to make way to her Desires of marrying *Rochester*, by suing out a Divorce against the said Earl, which she acquaints *Rochester* with, and *Rochester* and the Countess acquaint the Earl of *Northampton*, who before was privy, and consenting to the Familiarity between them, and was easily induced to join in procuring a Divorce.

Tho this was agreed between them, yet the Viscount would not proceed further, till he had consulted Sir *Thomas Overbury*, protesting he (the Viscount) would do nothing without his Advice: Sir *Thomas* told him, *The marrying the Countess would not be only hurtful to his Preferment, but helpful to subvert and overthrow him, and who would (being possess'd of so great Possibilities as he was, so great Honours and large Revenues, and daily in expectation of others) cast all away upon a Woman, noted for her Injury and Immodesty, and pull upon himself the Hatred and Contempt of great Personages for so small a matter.* Then he willed the Viscount to consider with himself the Condition of the Countess, the manner of her Carriage from her Youth, her present Conversation, the many Envyes, Dishonours and Dislikes which attend upon her; and besides, which is the Opinion of the Vulgar (and he should find it so) many Evils to attend his Subversion and Overthrow; *That it was not the Nature of a wise Man to make her his Wife, whom he had made his Whore.* Lastly, Sir *Thomas* advis'd him that he should expect no better Requital from her, than such as she had shewed to her former Husband; and withal to weigh the present Condition he is in, and compare it with the future, and much more to this purpose; and that Honour is not attended by Voluptuousness, nor the Ruines of a rotten Branch to be cherish'd upon a new planted Tree; but if he (the Viscount) meant to be made famous, and to continue that with him which he now freely enjoyed, Sir *Thomas* his Opinion was, *That he should utterly leave and forsake the Countess's Company, and hold her both hurtful and hateful.*

Rochester was surpris'd at *Overbury's* Advice, and the more, by how much less he expected it, and falls out with *Overbury*, and gives him harsh Language: but *Overbury* retorts again, and persists in his Advice, and demands his Portion due to him of *Rochester*, and so leaves him to his own Fortunes.

If *Rochester* was surpris'd at *Overbury's* Advice, the Countess was enraged at it, so as nothing less than *Overbury's* Blood could appease her Revenge; but how to compass it would be a work of time, and required deep Consideration, Secrecy and Resolution. But we leave this Affair here to take a view of other Occurrences which happened this Year, 1610.

To

To the King's former Monopolies, he this Year added another which caused many Commotions here, and endangered a Rupture with the *Dutch*, and this was the Case. The *English* at this time were not skilled in the Art of *dressing* and *dying English Woollen Manufactures*, but after they were made here they were vented into *Holland*, where they were *dressed* and *dyled*: Alderman *Cockaine*, and some rich Citizens, having, as was said, promised *Rocheſter*, *Northampton*, and the Lord Treasurer, great Sums of Money to procure them a Patent for *dressing* and *dying* of *Cloths*, and that the King would seize into his Hands the Charter of the Merchant-Adventurers for transporting of *white undressed Cloths*; *Cockaine* pretending, that besides the enriching the Nation, multitudes of poor People might be employed to the Benefit of the Nation, which now were a Burden to it: Hereupon the King seizes upon the Merchant-Adventurers Patent, and grants to *Cockaine*, and others, a new Patent for *dressing* and *dying Cloths*.

But *Cockaine's* Project succeeded both ways quite contrary, for the *Dutch* prohibited the Importation of *English dressed and dyed Cloths* from England; and *Cockaine*, and his Company, not only dyed and dressed the Cloths worse and dearer (which are ever the Consequences of Monopolies) than they were in *Holland*, but these being restrained to a Company, they could not near dress and dye the Cloths made in *England*: Whereupon the making Cloths stood at a stand, and infinite Numbers of poor People, which were employ'd in making Cloths, lay idle, and were reduced to a starving Condition; this raised great Clamours, which arrived at the Council; which to pacify, the Council permitted some quantities of white Cloths to be transported, but this did at present but skin the Soar, not cure it, as you will soon hear.

This Year was wounded up in a mournful *Catastrophe*, for upon the 6th of *November* Prince *Henry* died, in the beginning of the Blossom of his Youth, being 18 Years, 8 Months, and 17 Days old: A Prince adorned with Wisdom and Piety above his Years, Strength and Ability of Body equal to any Man, of a Noble and Heroick Disposition, and an hater of Flatteries and Flatterers, and therefore fell flat at odds with *Rocheſter*, not once giving him any Countenance, or vouchsafing him his Company.

I have heard my Father (who was about the Prince's Age) tell several Stories of him: Once when the Prince was hunting the Stag, it chanced the Stag being spent, crossed the Road, where a Butcher and his Dog were travelling; the Dog killed the Stag, which was so great that the Butcher could not carry him off: When the Huntsmen and Company came up, they fell at odds with the Butcher, and endeavoured to incense the Prince against him; to whom the Prince soberly answered, *What if the Butcher's Dog killed the Stag, what could the Butcher help it?* They replied, *If*

his Father had been served so, he would have sworn so as no Man could have endured it : Away, replied the Prince, all the Pleasure in the World is not worth an Oath. Another time, when the French Ambassador came to take his leave of the Prince, the Ambassador asked him, What Service he would command him to his Master ; the Prince bid him tell his Master what he was a doing, being then tossing a Pike. The Prince had an high Esteem for Sir Walter Rawleigh, and would say, No other King but his Father would keep such a Man as Sir Walter in such a Cage, meaning the Tower.

His Court was more frequented than the King's, and by another sort of Men ; so that the King was heard to say, Will he bury me alive ? And the high Church-Favourites tax'd him for being a Puritan.

Never was any Prince's Death more universally and cordially lamented, and the more, by how much the Suddenness of his Death being known, before his Sickness was scarce heard of, was surprising : As Mens Humours flow'd they vented their Passions, some said, A French Physician killed him, others, He was poisoned, and it was observed, that poisoning was never more in fashion than at this time ; others, That he was bewitched, &c.

Whether it were to appease these Clamours, or out of Curiosity, I cannot tell, but Dr. Mayerne, Dr. Atkins, Dr. Hammond, Dr. Palmer, Dr. Gifford and Dr. Butler were ordered to dissect the Prince's Body the next day after his Death, and to give their Opinions of it, which were,

First, They found his Liver paler than ordinary, in certain places somewhat wan ; his Gall without any Choler in it, and distended with Wind.

Secondly, His Spleen in divers places more than ordinarily black.

Thirdly, His Stomach was in no part offended.

Fourthly, His Midriff in divers places black.

Fifthly, His Lungs were very black, and in divers places spotted, and of a thin watry Blood.

Sixthly, That the Veins of the hinder part of his Head were fuller than ordinary, but the Ventricles and Hollowness of the Brain were full of clear Water.

However Prince Henry died, Henry the 4th of France died by a violent Death, being stabb'd by Raviliac the 4th of May this Year, his Predecessor Henry the 3d being about 22 Years before stabb'd by James Clément, a Jacobite Friar. At Henry the 4th his Death there was an universal Peace in Christendom, when he was putting it into an universal War ; all the Western Princes in Christendom, except King James, were engaged in it, against the House of Austria : but it was so vast, as in the Nature of things,

if Henry had been young, as he was in the 57th Year of his Age he could not have lived to have accomplished it: at his Death, tho he lived but 13 Years after the Treaty of *Vervins*, when he made Peace with *Philip* the 2^d of *Spain*, he had amassed such Treasure, as is incredible, if so great an Historian as *Messèray* did not testify it; especially if it be considered, that before the Treaty at *Vervins*, *France* had for forty Years before been imbroiled in a Civil War, and with *Spain*; and these Wars being in all the Parts of *France*, *France* was never before in so poor and feeble a State, and *Henry* himself after the Peace giving himself up to Venerary and Gaming above any King of *France* before him, or since. Nor can it be imagined from whence such Treasures should arise, for there are no Gold nor Silver Mines in *France*, unless it were from the Trades which the *English*, *Dutch*, *Dane*, *Swede* and *Hamburghers* drove into *France*. However *Henry* was addicted to Women and Gaming, yet otherwise he excelled all the Kings of the Age, not only in Heroick Vertues, but in Prudence, Constancy and Secrecy in his Designs; curious in Enquiry into the Qualities of Men, whom he would prefer as Qualities merited; and was pleasant and witty in his Conversation, and always disposed to take the Impression of good Counsel.

He left his Son (a Prince of weak Constitution both of Body and Mind) at ten Years of Age, and his Wife (an imperious bigotted *Italian* to the Church of *Rome*) Regent: These overthrew all the Methods which *Henry* had laid for promoting the *French* Grandure, and gave themselves up to be governed by Favourites, yet in a different manner from those in *England*, whereby they squandered away all that inestimable Treasure which *Henry* left, in less than half the time *Henry* had been collecting it; and put all *France* into Tumults and Wars, whilst the *English* patiently submitted to the Exorbitances of King *James* his Favourites, and by Proclamations were forbid to mention them, or talk of their Government, no not in Parliament: And now 'tis time to return to *England*, and see what's doing there.

If we begin this Year 1612, with *January*, we shall find two Marriages in it, to succeed the two Deaths of the two famous *Henry's of England and France*: The first upon the 14th of *February*, being *Shrove-Sunday*, between *Frederick*, Count Palatine of the *Rhine*, commonly called the *Palsgrave*, and the Princess *Elizabeth*, the King's only Daughter; and the Triumphs, Pageants, and other Gaieties upon the *Thames*, in the City and Inns of Court, far exceeded any before seen in *England*, which you may read at large in *Stow's Chronicle*, fol. 1004. so as the Tears for the Death of Prince *Henry*, were overflowed by the excess of Joy for this Marriage.

However Northampton was not pleased with it, nor the Emperor.

ror, or King of *Spain*, and from the same Causes, viz. It would so far advance the Protestant Interest in *Germany* as to make it more formidable to the Popish Religion; and 'tis certain (for I had it from good Authority) that Queen *Ann* was averse to it; and to put the Princess out of conceit of it, would usually call her Daughter, *Goodwife Palsgrave*; to which the Princess would answer, *she would rather be the Palsgrave's Wife, than the greatest Papist Queen in Christendom.* The Reason of the Queen's Aversion to this Marriage is not said, but certain it is, that these fading Joys for this Marriage were succeeded by fixt and real Calamities, which the King took little Care to prevent, and shall never live to see, nor his Son after him, an end of.

While the Preparations for solemnizing this Marriage were making, a different sort was making for another, between the Viscount *Rochester*, and the Countess of *Essex*; and to make the Way to it more passable, two Rubs were to be removed, one to take off *Sir Thomas Overbury*, the other to procure a Divorce, not only a *Mensa & Toro*, between the Earl and the Countess, but a Nullity, whereby the Countess should be free to marry as she pleased, and she had agreed upon the Person.

To remove *Sir Thomas* it was agreed between the Earl of *Northampton*, *Rochester*, and the Countess, that *Sir Thomas* should be sent Ambassador to the Great Duke (or Emperor) of *Russia*, so that if *Sir Thomas* did accept of it, he should be far enough out of the way to hinder this Design; and if he did not, to commit him to the Tower, where they would do well enough with him. The Business of the Embassy was no sooner propounded to the King, but assented to by him; and *Sir Thomas* was not unwilling to undertake it.

How harsh soever *Rochester* was to *Sir Thomas*, when he dissuaded *Rochester* from marrying the Countess, yet now he becomes instant kind to *Sir Thomas*, and tells him, *how much he relied upon his Integrity and Parts, which, in his Absence, he should not only want, but that thereby Sir Thomas would give Occasion to his Enemies, which were many, and upon Rochester's account to ruine him, when as it would not be in Rochester's Power to prevent it; but if Sir Thomas would refuse to undertake this Embassy, Rochester would, in a short time, undertake to reconcile him to the King, and Sir Thomas would in the mean time be at hand to assist him with his Counsel upon all Occasions.*

This was all deep Dissimulation, which *Sir Thomas* took to be in good earnest, and so *Sir Thomas* excused his going on this Errand, and this was what *Rochester* desired: Hereupon *Rochester* posselt the King, that *Sir Thomas* was not only grown insolent and intolerable to him, but to the King, by contemning him, in refusing to go on this Embassy: The King becomes incensed here-

at, and the more, as 'twas commonly said Sir *Thomas* had vented some stinging Sarcasms upon the Court, which came to the King's hearing, and so ordered him to be committed to the Tower. *Northampton* and *Rocheſter* had prepared the Buſineſs ſo, that Sir *William Wade* was removed from being Lieutenant of the Tower, and Sir *Jervis Elvis*, a Gentleman wholly depending upon them; was made Lieutenant of it.

Upon Sir *Thomas* his Commitment, Sir *Jervis Elvis*, by Order from *Northampton* and *Rocheſter*, confines him cloſe Priſoner, ſo that Sir *Thomas* his Father was not permitted to viſit him, nor any of his Servants, tho one deſired he might be confined with his Maſter. The Counteſs, that ſhe might not be behind-hand with *Rocheſter* and *Northampton*, had conſulted with Mrs. *Turner* for a fit Inſtrument to praſtiſe what was deſigned upon Sir *Thomas*: Mrs. *Turner's* Huſband was an Apothecary; and had a Servant named *Richard Weſton*, who ſince her Huſband's Death was become very poor; this Man was agreed by the Counteſs and Mrs. *Turner* to be Under-keeper to Sir *Thomas*, and had a Promise of 200 *l.* Reward, when Sir *Thomas* ſhould be diſpatched; and that he might with more Secrecy work his Deſign, the Lieutenant had Orders from *Northampton* and *Rocheſter*, that no Man elſe ſhould come at Sir *Thomas*, and *Turner* only to wait upon him at Table, and to give Order for his Diet and Drinks.

Sir *Thomas* thus mew'd up, and excluded from the Sight of his neareſt Relations and Servants, upon the 9th of *May* was begun the Praſtice of poiſoning Sir *Thomas*, in his Broth which *Weſton* brought him; and this was continued with many Varieties of Poiſoning, till the 14th of *September*, when by a Glyſter (for which the Adminiſter had 20 *l.* Reward) he was diſpatched: but the Malice againſt Sir *Thomas* did not end with his Death; for the Blanes and Bliſters which the Poiſon had cauſed upon his Body, were interpreted to be the Effects of the *French-Pox*, and his Body was irreverently buried in a Pit digged in a very mean Place.

Here we may ſee the unhappy Fate of Princes above other Men, who neglecting their Duty, give themſelves up to be governed by Minions and Favourites: for private Men are accountable only for their own Actions, whereas Princes are accountable to God and Fame for all the ill Actions of their Miniſters; and how many ways was the King's Name uſed and abuſed in perpetrating this black and horrid Murder: Firſt, in getting the King to ſend Sir *Thomas* on the Embaſſage to *Ruſſia*. Secondly, in committing him to the Tower for reſuſal. Thirdly, in keeping him cloſe Priſoner there, which was a Praſtice never known before for a Contempt, that any Man ſhould be cloſe confined from all his Relations and Servants; and 'twas a greater Villany to praſtiſe Sir *Thomas* his Death, while he was the King's Priſoner, than if he had been at

large, as being more immediately under the King's Protection.

These Considerations little affected the Court, and Sir *Thomas Overbury's* Destruction went but half way towards the designed Marriage between *Rochester* and the Countess of *Essex*; but a Commission of *Delegates* under the Broad Seal, is issued out to the Arch-Bishop of *Canterbury* Dr. *Abbot*, the Bishops of *London*, *Winchester*, *Ely*, *Litchfield* and *Coventry*, and *Rochester*, Sir *Julius Caesar*, Sir *Thomas Parrey*, Sir *Daniel Dunne*, Sir *John Bennet*, *Francis James* and *Thomas Edwards*, Doctors of the Civil Law, at the Suit of the Countess for a Divorce from the Earl of *Essex*.

Here you may see the Ascendant *Rochester* and *Northampton* had over the King; not only in getting this Commission, wherein the King's Name and Authority was abused; but they procured the King in the hearing of the Countess's Cause to be her Advocate, in answering the Objections which the Arch-Bishop made against the Divorce: so as this Matter was managed, the Bishops of *Winchester* Dr. *Bilson*, of *Ely* Dr. *Andrews*, of *Litchfield* and *Coventry*, and *Rochester*, with Sir *Julius Caesar*, Sir *Thomas Parrey*, and Sir *Daniel Dunne*, were for the Divorce; and that the Countess was *Virgo non vitata*, and that there was Frigidity in the Earl, and the Marriage a Nullity; and decreed the Earl to repay the Countess her Portion: but the ABp, the Bp of *London*, and *Bennet*, *James* and *Edwards*, Doctors of the Civil-Law, were against it.

Thus far was the King's Name and Authority abused, in the attaining the Murder of Sir *Thomas Overbury*, and the designed Marriage between *Rochester*, and the Countess of *Essex*; for *Overbury* being dead, and the Divorce obtained, the Countess must not lose the Title by this Marriage, and thereupon the 4th of November, *Rochester* is created Earl of *Somerset*.

All things are now prepared for the hopeful Marriage; and that the Solemnity at the ending of it might out-vie that of the *Palgrave*, and the Lady *Elizabeth*, upon the 6th of December, the Earl and Countess were married at *White-hall* in the Presence of the King and Queen, Prince, and a great confluence of the Bishops and Temporal Nobility; the Bishop of *Bath* and *Wells* married them, and Dr. *Mountaine* (Dean of *Westminster*) preached the Nuptial Sermon, and that Night there was a gallant Masque of Lords; but upon the Wednesday following the 29th there was another of the Prince's Gentlemen which quite out-did this, and pleased the King so well, that he caused it to be acted again on the Monday following, being the 3d of January.

But *White-hall* was too narrow to contain the Triumphs for this Marriage, they must be extended into the City, and upon the 4th of January the Bride and Bridegroom, accompanied by the Duke of *Leroux*, my Lord Privy Seal, (*Northampton*) the Lord Chamberlain, the Earls of *Worcester*, *Pembroke* and *Montgomery*,

with a numerous Train of Nobility and Gentry, were invited to a Treat in the City at *Merchant-Taylors Hall*, where my Lord Mayor and Aldermen entertained them in their Scarlet Gowns: At their Entry they were accosted by a gratulatory Speech and Musick, the Feast (which was most sumptuous) served by the choicest Citizens, selected out of the 12 Companies, in their Gowns and rich Foinies: After Supper they were entertained with a *Wassail*, two pleasant Masques, a Play and Dancing; and after all, the Bride and Bridegroom, with all this *Noble Crew*, were invited to a Princely Banquet, and at three in the Morning the Bride and Bridegroom returned to *Whitehall*: and before this Surfeit of Pleasure and Excess was well digested, the Gentlemen of *Grays-Inn*, upon *Twelfth-Day*, invited the Bride and Bridegroom to a Masque. Thus these Gaieties though they out-lived the Year, yet ended in the Holy-days of *Christmas*, as they began with them, being the next Day after *Christmas*. But before the end of this Year, these Joys shall turn sharp and sower.

This Year 1614, as it was the Meridian of the King's Reign in *England*, so was it of his Pleasures; the King was excessively addicted to Hunting and Drinking, not ordinary *French* and *Spanish* Wines, but strong *Greek* Wines; and though he would divide his Hunting from drinking these Wines, yet he would compound his Hunting with drinking these Wines; and to that purpose he was attended with a special Officer, who was as much as could be always at hand, to fill the King's Cup in his Hunting, when he called for it. I have heard my Father say, that being hunting with the King, after the King had drank of the Wine, he also drank of it; and though he was young, and of an healthful Constitution, it so disordered his Head, that it spoiled his Pleasure and disordered him for three Days after. Whether it were drinking these Wines, or from some other Cause, the King became so lazy and unweildy, that he was *treist* on *Horse-back*, and as he was set so would he ride, without otherwise poising himself on his Saddle: Nay, when his Hat was set on his Head, he would not take the pains to alter it, but it fate as it was put on.

And as he thus gave himself up to Pleasure, so he did to Favourites and Flatterers, and scarce heard any thing without the prelude of *Sacred*, *Peaceful*, *Wise*, *Most Learned*, &c. These made him careless both of his Domestick and Foreign Affairs, the Thoughts of which disturbed his Pleasures; and it at any time he was thoughtful, or pensive, his Favourites made it their Business to mimic or ridicule those things, especially the *Puritans*, whom the King hated.

These Courses, and the King's Favourites perpetually sucking his Treasures, brought the King to great Necessities, yet he had not Courage enough to demand the Debt due to him from the

States of Holland, neither Principal nor Interest : so that after five Years interval a Parliament is agreed to be called, to supply the King's Occasions ; and the principal Cause to excite the Parliament to give Money, was for the Portion the King had paid for marrying the Princess *Elizabeth* to the *Palgrave*, and for his Entertainment whilst he was in *England*, tho the King had collected Aid-Money all over *England* before.

But it rarely happens when Grievances be multiplied, and the Kings become necessitous, that then the King and Parliament attain their Ends ; the Ends being so different, the Parliaments being to redress Grievances, and the Kings to get Money : and so it fell out in this Parliament, for entring upon Grievances, and remonstrating them to the King, which was Language he was not acquainted with, he in great Passion dissolves the Parliament, and commits many of the principal Members of the Commons close Prisoners, without *Bail* or *Man-prize* : and though no Law was passed this Parliament, nor any Notice had of it in the Statutes printed at large ; yet this Benefit came of it, That the Commons voting *Cockaine's* Patent for *Dressing and Dying English Cloths* to be a Monopoly and a Grievance, it was recalled and cancelled, and the vent of *White Cloths* left free.

This was the greatest Violation and Invasion of the Privilege of Parliament that ever was done by any King of *England* before ; but though it began, it did not end here, neither in this King's Reign, nor his Son's after him : For after the Dissolution of the Parliament, the King extorted a Benevolence from the Subject, and those who would not contribute, were to have their Names returned to the Council.

C H A P. III.

A further Account of this Reign, to the End of the third Parliament, in 1620.

IF from the Parliament we look into the Court, we shall see the King's Affections begin to alter towards his Favourites, which began upon this Occasion : My Lord of *Northampton* was Lord Warden of the Cinque-Ports, and by his Permission *Romish* Priests in great Numbers swarmed into *England* ; this was observed, and great Clamours were made upon it, which came to the Earl's Ears : hereupon the Earl exhibits an Information against some of them ; these justify the Truth of what they were accused of ; the Arch-
Bishop

Bishop Abbot, at the same time, produces a Letter from the Earl to Cardinal Bellarmine, wherein he says, *That however the Condition of the Times compelled him, and the King urged him to turn Protestant, yet nevertheless his Heart stood for the Catholicks, and that he would be ready to further them in any Attempt.*

This procured the King's Frowns, and the Prisoners Discharge; whereupon 'twas said Northampton took such Grief that he made his Will, wherein he declared *He died in the same Faith wherein he was baptiz'd, (viz. the Popish) and died the 15th of June.* Now was Somerset left without his chiefeſt Support, and ſoon after another ſhall riſe up, which ſhall turn him quite out of the King's Favour.

About this time one Mr. George Villiers appeared in Court, the youngſt Son of Sir George Villiers of Leiceſterſhire, by a ſecond Venter, whoſe Name was Mary Beaumont: the Heraulds will tell you the was of the honourable Family of the Beaumonts; and I will tell you what a Lady of Quality told me, and one who might well know the Truth of what ſhe ſaid, her youngſt Siſter by a ſecond Venter being married to the Eldeſt Son of Sir George Villiers, by Beaumont.

Mary Beaumont was entertained in Sir George Villiers his Family, in a mean Office of the Kitchen; but her ragged Habit could not ſhade the beautiful and excellent Frame of her Perſon, which Sir George taking notice of, prevail'd with his Lady to remove Mary out of the Kitchen into an Office in her Chamber, which with ſome Importunity on Sir George's part, and unwillingneſs of my Lady, at laſt was done.

Soon after my Lady died; and Sir George became very ſweet upon his Lady's Woman, which would not admit any Relief without Enjoyment; and the more to win Mary to it, gave her 20 l. to put her ſelf into ſo good a Dreſs as this would procure, which ſhe did, and then Sir George's Affections became ſo fired, that to allay them he married her.

In this Coverture Sir George had three Sons, John after Viſcount Purbeck, Chriſtopher after Earl of Angleſey, and George, and one Daughter after married to the Earl of Denbigh: When Sir George died, George was very young; and Sir George having ſettled his Eſtate upon the Children born of his former Lady, could leave the Iſſue by his Widow but very little, and her but a Joynture of about 200 l. per Annum, which dying with her, nothing could come to theſe Children; nor was it poſſible for her, out of ſo contracted a Joynture to maintain her ſelf and them, ſo as to make ſcarce any Provision for them after her Death; and the Iſſue of Sir George by his former Lady, both envied and hated her, ſo as little could be expected from them.

To ſupply theſe Defects, ſhe married one Thomas Compton a rich Country Gentleman, whereby ſhe became able to maintain and

and breed up her Children in a better than ordinary Education; and *George* being of an extraordinary and exact Composition of Person, was sent abroad, and in *France* acquired those outward Advantages which more adorned the natural Parts, which Nature had given him.

The King this Year, about the Beginning of *March* 1614, according to his usual Methods, went to take his Hunting Pleasures at *New-market*; and the Scholars (as they called them) of *Cambridg* who new the King's Humour, invited him to a Play, called *Ignoramus*, to ridicule (at least the Practice of) the Common Law: Never did any thing so hit the King's Humour, as this Play did; so that he would have it acted and acted again, which was increased with several Additions, which yet more pleased the King.

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ed the King with what he had discovered about Sir *Thomas Overbury's* Murder: the King was so surprised herewith, that he posted away a Messenger to Sir *Edward Coke* to apprehend the Earl; I speak this with Confidence, because I had it from one of Sir *Edward's* Sons.

Sir *Edward* lay then at the *Temple*, and measured out his time at regular Hours, two whereof were to go to Bed at Nine a Clock, and in the Morning to rise at Three: At this time Sir *Edward's* Son, and some others were in Sir *Edward's* Lodging, but not in Bed, when the Messenger about one in the Morning knockt at the Door, where the Son met him, and knew him: Says he, *I come from the King, and must immediately speak with your Father: If you come from ten Kings, he answered, you shall not, for I know my Father's Disposition to be such, that if he be disturbed in his Sleep, he will not be fit for any Business; but if you will do as we do, you shall be welcome, and about two Hours hence my Father will rise, and you then may do as you please, to which he assented.*

At three Sir *Edward* rung a little Bell, to give notice to his Servant to come to him, and then the Messenger went to him, and gave him the King's Letter; and Sir *Edward* immediately made a Warrant to apprehend *Somerset*, and sent to the King that he would wait upon him that Day.

The Messenger went back Post to *Royston*, and arrived there about Ten in the Morning: the King had a loathsom way of lolling his Arms about his Favourites Necks, and kissing them; and in this Posture the Messenger found the King with *Somerset*, saying, *When shall I see thee again? Somerset* then designing for *London*, when he was arrested by Sir *Edward's* Warrant. *Somerset* exclaimed that never such an Affront was offered to a Peer of *England* in the Presence of the King: *Nay Man*, said the King, *if Coke sends for me I must go; and when he was gone, Now the Deel go with thee,* said the King, *for I will never see thy Face any more.*

About three in the Afternoon the Chief Justice came to *Royston*, and so soon as he had seen the King, the King told him, that he was acquainted with the most wicked Murder by *Somerset* and his Wife, that was ever perpetrated, upon Sir *Thomas Overbury*, and that they had made him a Pimp to carry on their Bawdry and Murder; and therefore commanded the Chief Justice, with all the Scrutiny possible, to search into the Bottom of the Conspiracy, and to spare no Man how great soever, concluding, *God's Curse be upon you and yours, if you spare any of them; and God's Curse be upon me and mine, if I pardon any one of them.*

The Chief Justice, as well by his Place as the King's Command, imprisons *Weston*, *Mrs. Turner*, Sir *Jervis Elvis*, *Franklin*, and Sir *John Munson*, and examines them; and also *Simon Mason*, *Munson's* Servant, *Paul de la Bell*, *Weston's* Servant, &c. against them:

Whereupon

Whereupon they were all, except *Munson*, arraigned, condemned and executed in the Months of *October* and *November* following, all of them, I say, except *Munson*, whom Justice *Dodridge* and Justice *Hide* (as well as the Chief Justice) declared to be as guilty of the Murder as any of the other. You may read the Trials at large, in the *Narrative* of the first fourteen Years of King *James* his Reign, entituled, *Truth brought to light by time*.

There was a general Rumour, that the Chief Justice, making a severe Inspection into *Overbury's* Murder, found some Papers about the poisoning of Prince *Henry*; and Sir *Anthony Weldon* in his *History of the Reign of King James*, says, That the Chief Justice had blabb'd abroad so much: I am sure there was never any such Acquaintance between the Chief Justice and him, that he should blab it out to *Weldon*; whether this were true or false I cannot tell, but sure the displacing Sir *Edward Coke* the next Year gave Reputation to these Rumours; and here we end this Year 1615. being the thirteenth Year of King *James* his Reign.

Tho *Turner*, *Weston*, *Elvin* and *Franklin* were convicted and hanged last Year for the poisoning of Sir *Thomas Overbury*, yet the Trial of the Earl of *Somerset* and the Countess was put off till the 24th of *May* this Year; yet the Earl being a Prisoner, and utterly cast out of the King's Favour, the young Favourite *Villiers*, having now no Competitor, rose as fast upon the Earl's Ruin as he fell; and began to appear in his own Colours, from being Sir *George*, and of the Bed-Chamber to the King, in the beginning of the Month of *January* to be made Master of the Horse; and upon the Conviction of the Earl and Countess, the King seized upon the huge Estate of the Earl, only allowing him 4000 *l.* per Annum during his Life (as was said) for the King reprieved the Earl and Countess too, not only from Death, but Imprisonment; and the Earl 24 Years after saw his Daughter married to the now Duke of *Bedford*, who proved to be the Mother of many Children, whereof my Lord *Russel* cut off by King *Charles* the Second, was one, and a Lady of great Honour and Vertue.

The seizing of *Somerset's* Estate, at present afforded a plentiful Harvest to our young Favourite; and that proportionable Honours (which were no burden to him) might attend him, upon the 17th of *August* he is created Viscount *Villiers*, and Baron of *Whaddon*. We will stay a little here, and look abroad and see what Dishonour the King, by his Prodigality to his Favourites, and his ill Terms with his Subjects, brought upon himself.

This Year seven of the twelve Years Truce made between the King of *Spain*, the Arch-Dukes and the *Dutch States* in 1609. were worn out, and now the *Dutch* hugely swelled their Trade, not only in *Europe* and *Africa*, but in the *East-Indies*, and to *Turkey*; but they could never be truly esteemed High and Mighty, so long

as the *English* possess the *Brill*, *Rammekins* and *Flushing*, which were the Keys of their Country, and opened the Passages into and out of the *Maese*, *Rhine* and *Scheld*: They could not now pretend Poverty, as they did to Queen *Elizabeth* for not payment of the Money, with Interest upon Interest at 10 per Cent. which being two Millions, when upon the Account stated between the Queen and them, due Anno 1598. besides the Payment of the *English* in Garison in the Cautionary Towns this Year, did amount to above six Millions of Money; and how to get rid of this Debt, and get the *English* out of the Cautionary Towns, was the Design of *Barnevelt* and the *States*.

Barnevelt had his Eyes in every corner of the Court, he observed the King was wholly intent upon his Pleasures, exalting his Favourites, and writing against *Bellarmino* and *Peron*, against their King-killing and Deposing Doctrines, and otherwise utterly neglected his Affairs both at Home and Abroad; and by how much longer the King continued these Courses, so much better might the *States* make a Bargain with him about restoring their Cautionary Towns, but not as Merchants, but Bankrupts. The Truce between the *Spaniard* and them was above half expired, and if the *English* should keep their Towns till the War broke out again, the King might impose what Terms he pleased upon them.

Barnevelt also observed the ill Terms which the King was upon with his Subjects upon the Dissolution of the last Parliament, about 14 Months before, and imprisoning the Members for representing the Subjects Grievances, which the King made worse by a Proclamation forbidding Men to talk of *State-Affairs*; and that he doted upon, and was wholly governed by Viscount *Villiers*, a raw and unexperienced Gentleman in *State-Affairs*, scarce of Age: Upon these Considerations *Barnevelt* advised the *States* not to pay the *English* in Garison in their Cautionary Towns, tho' this was expressly contrary to the Agreement they made with Queen *Elizabeth* in 1598.

The *English* debarred of their Pay, apply themselves to the King for Relief; the King was incensed at the *Dutch*, and talked high what he would do, but upon Repose he advised what to do: the Lord Treasurer *Suffolk* told him there was no Money in the Exchequer, to call a Parliament would be a work of Time, and in the mean while the Souldiers in Garison in the Cautionary Towns must either starve or revolt; besides, the Wounds which the imprisoned Members had were so green, that the Parliament in all likelihood, would rather seek to cure them than supply the King's Necessities; and starve or revolt the Souldiers might, rather than the King would abate any thing of his Bounty to his Favourites.

Hereupon it was agreed, That the King should enter into a Treaty with the *Dutch*, concerning the Delivery of their Cautionary-Towns; the *Dutch* expected it, and had given Orders to their Ambassador here (called the Lord *Caroon*) to treat about it, and what they would give, the King must take; and *Caroon's* Instructions were to give two hundred and forty eight thousand Pounds in full Satisfaction of the whole Debt, which was scarce Twelve Pence in the Pound, but was greedily accepted of by the King and his Favourites. But how well this Agreement did sort with the Treaty made with the King of *Spain* and Arch-Dukes in August 1604, where in the 7th Article the King swears and promises in the Word of a King, *That in a competent time he would assign a Treaty with the Dutch States, to accept and receive Conditions agreeable to Justice and Equity, for a Pacification to be had with the renowned Princes his dear Brethren; which if the States shall refuse to accept, his Majesty from thenceforward, as being freed from former Conventions, will determine of those Towns according as he shall judge it to be just and Honourable, wherein the said Princes, his loving Brethren, shall find there shall be no want of these good Offices, which can be expected from a friendly Prince; let the World judge.*

Tho the Bargain were agreed, yet the King and Courtiers were in fear the Money should not be paid accordingly, and therefore the King wrote to the *States* in a Stile far differing from that he used to the Parliament; for, says my Author, *William de Britain*, fol. 12. the King told them, *He knew the States of Holland to be his good Friends and Confederates, both in Point of Religion and Policy (one as true as the other, for the Religion of the Dutch was Presbytery, which the King hated, nor did he ever imitate their Policy) therefore he apprehended not the least fear of Difference between them: In Contemplation whereof, if they would have their Towns again, he would willingly surrender them.*

So tho the *Dutch* got their Towns again, yet the King got not all the Money, for my Lord Treasurer *Suffolk* kept back so much of it, as he was fined 30000*l.* in the *Star-Chamber* for it, and had not scaped so, if Sir *Francis Bacon*, then Lord Chancellor, had not been his Friend.

After the Sale of the Towns was agreed on, the next Debate was, What should become of the Souldiers in *Garison*? But let them look to that, for the King being *Rex Pacificus*, had no need of them, they might go where they pleased; all the Care the Favourites had, was how to share the Money among themselves.

The dishonourable Delivery of the *Dutch* Towns, made no Allay in his Affections to his new Favourite, tho wholly unacquainted with *State-Affairs*, who was as much given up to the Pleasures of *Venus*, as the King was to those of *Bacchus*; neither the Sale of the *Dutch* Towns, nor the seizing *Somerjet's* Estate, would answer

the Expence of his Pleasures and Bounty, the disposing of all Places and Offices Ecclesiastical and Civil, all waved as he nodded; and herein his Venality was as profuse as his Venery.

One of the first that felt the Effects of his Power herein, was Sir *Edward Coke*, who at this time sat very loose and uneasy; he had highly disgusted the Court and high-Church-Party, in opposing Arch-bishop *Bancroft's* Articles against granting *Prohibitions at Common-Law*. He opposed my Lord Chancellor *Egerton* taking notice of a Cause in the *King's-Bench*, after Judgment given, contrary to the Act 4 *Hen. 4.* 23. and refused to give any Opinion in the Case of *Commendums*, being a Judge, before it came judicially before him: And however my Lord Chancellor *Egerton*, upon the swearing Sir *Henry Mountague*, when he succeeded Sir *Edward Coke* in the Office of Chief Justice, declared Sir *Edward's* deposing was for being so popular; yet I have it from one of Sir *Edward's* Sons, that the Cause of his Removal was,

That Sir *Nicholas Tufton* being very aged, and having a Patent for Life of the *Green-wax-Office* in the *King's-Bench*, the Viscount *Villiers* by his Agents dealt with Sir *Nicholas*, that if he would surrender his Patent, the King would make him Earl of *Thanet*; and in the mean time Sir *Francis Bacon* treated with Sir *Edward*, to know whether in case Sir *Nicholas* surrendered his Patent, the Viscount should prefer another to the Office; Sir *Edward* would give Sir *Francis* no other Answer than this, *That he was old, and could not wrestle with my Lord*. However, after Sir *Nicholas* had surrendered, Sir *Edward* refused to admit of a Clerk by *Villiers's* Nomination, but stood upon his Right; and that the Judges of the *King's-Bench* served the King to their Loss, and therefore he would so dispose of the Office, that the other Judges of the *King's-Bench's* Salaries should be advanced; and that hereupon he was turned out of his Place, and Sir *Henry Mountague* put in, who disposed the Office as the Favourite pleased. But tho the Favourite's Displeasure began here with Sir *Edward*, it did not end so, nor the Titles of our new Favourite, for upon the 5th of *January* following he was created Earl of *Buckingham*; however Sir *Edward* might have been restored again to the place of Chief Justice, if he would have given a Bribe, but he answered, *A Judge ought not to take a Bribe, nor give a Bribe*. See the second Part of the Bishop of *Lincoln's* Life, fol. 120. Tit. 116.

We begin this Year 1617, (after the King had created the Earl Marquess of *Buckingham*, on the first of *January*) with the Story of Sir *Walter Raleigh's* Voyage to *Guiana*, which was the Cause of his Death, tho upon another score, being condemned in the first Year of the King for High-Treason in *Cobham's* Conspiracy, for endeavouring to have hindered the King's coming to the Crown: But before we proceed we'll stay a little and take a view of him.

Sir

Sir *Walter* was of an antient Family, but a younger Brother ; and as he was a Person of admirable Parts, excellently adorned with Learning, not Pedantick, but of a nobler Strain, so he had a Mind far above his Fortune, and accounted Poverty the greatest of Misfortunes ; and to advance his Fortune he became a Courtier to Queen *Elizabeth*, who was as great a Discerner of Men, and their Qualities, as any Prince in her time, or perhaps before or since ; and as such, and not as imposed by Favourites, she esteemed and preferred them ; and upon this account she entertained and favoured Sir *Walter*.

The Queen made him Captain of her Guards, Lieutenant-General of *Cornwall*, and Lord Warden of the *Stanneries* : but these were rather Honorary Titles, than much profitable ; and being at Enmity with the Earl of *Essex* (the Queen's greatest Favourite) and the whole Family of the *Cecils*, (who governed all in State-Affairs) these put a full stop to Sir *Walter's* further Rise at Court.

Sir *Walter* thus balk'd at Court, seeks Adventures abroad to raise his Fortunes thence ; and the Wars continuing between the Queen and the King of *Spain*, in the Year 1595, he mans out a Ship to *Guiana* in the *West-Indies*, and by the Intelligence which he had with some of the *Indians*, and some *Spanish* Prisoners he had taken, believed he had made a Discovery of several rich Mines, and had certain Marks whereby to discover them again, if occasion should happen.

But if he got nothing else by his Voyage, he got this Advantage by it, that adding Experience to his excellent Theory in Navigation, he justly merited the Applause of the best Director of Sea-Affairs of his time.

After Queen *Elizabeth's* Death, he was kept 12 Years a Prisoner in the Tower, where he compiled his History of the World, a Design so vast, that no other Man of less Parts both of Body and Mind could have accomplished : And while he was thus confined, he was the first which made publick the Growth by Sea of the *Dutch*, and the Riches they derived by their fishing upon the Coasts of *England* and *Scotland*, and the Consequences which would necessarily follow, not only to the loss of the King's Sovereignty of the *British* Seas, but to the Trade and Navigation of *England* otherwise. After that, one *Tobias Gentleman* set forth another Treatise of this Nature, and how this Fishery might be carried on from the Ports of *England*, and dedicated it to the King ; but the King wholly giving himself up to Pleasure, neither minded the one, nor regarded the other.

Sir *Walter* had been discharged out of the Tower about two Years and an half before, but by what means I do not find, and then Poverty stared him in the Face (for *Somerset* had begg'd his Estate) which to him was more intolerable than his Imprisonment,

ment, and how to extricate himself out of it was all his Business. There was a new face of Court to what was in Queen Elizabeth's days, and Sir *Walter* unknown to any of them. His being freed out of Prison was such a Favour as any further was not to be hoped for: Happy had Sir *Walter* been if he had been still confined, where in the restraint of his Person he enlarged the Faculties of his Mind to nobler Pleasures than can be found in Sensuality, or any Temporal Greatness; where by his Freedom pursuing these, besides other concomitant Calamities, he brought Destruction upon himself, having first seen his Son *Walter* slain in the Design he intended to raise his Fortunes by.

Tho the King was never poorer than at this time, yet the Nation was far richer than in all the long Reign of Queen Elizabeth, by reason of the *English* Trade with *Spain* made free by that celebrated Law of the 3^d of the King, cap. 6. and at this time, and many Years before, the King of *Spain* made Count *Gundamor* his Legier Ambassador in *England*; the Count would ape the King in all his Humours but his Cups, and hereby became so intimate with the King, that he discover'd all his Designs, and the Secrets (if there were any) of the Court.

In this Posture of Affairs Sir *Walter* informs the King, that if he would grant him a Commission, he would bring Mountains of Gold into the King's Exchequer from *Guiana*: the King, who had stopt his Ears to Sir *Walter's* Advice concerning the *Dutch* Fishery upon the Coasts of *England* and *Scotland*, opens them both to Sir *Walter's* Project, and grants him a Commission, directed, *De lecto & fideli meo Waltero Raleigh Militi*.

But this Commission ill agreed with the Treaty made between the King and the most renowned King of *Spain*, his dear and loving Brother, in the second Year of his Reign, wherein in the first Article it was agreed, That they should use one another with all kind and friendly Offices; and by this Treaty the *English* were restrain'd to their Trades in *Europe*: For the King of *Spain* was as jealous of his *West-Indies* as the Apple of his Eye, or the Pope is of his *Triple-Crown*, or the King of his *Prerogative*.

The Fame of Sir *Walter*, and the Expectation of the Mountains of Gold to be poured into the Exchequer by this Expedition, blazed it all abroad, so as *Gundamor* gave the King of *Spain* an account of it; and this became so much the more publick, by how much the King could not contribute any thing but his Commission towards it: and tho Sir *Walter's* Fame induced many Nobles and Gentlemen to join with him in it, yet this being distracted and divided into so many Interests, it went on more heavily, and became every day more known; so that tho Sir *Walter* intended to have proceeded on his Voyage this Year in the beginning of April, it was upward in August before he set out.

In his Passage a terrible Fever overtook Sir *Walter*, now in the 76th Year of his Age, which yet the Strength of his Constitution overcame, to bring him to his End by a worse Fate: When he arrived at *Guiana*, he found all the Marks which he and Sir *Nicholas Kemish* had made, either worn out by Time, being twenty Years before, or alter'd by the *Spaniards*, who had so long before had notice of his Design; so that *Kemish* and Sir *Walter* fell at such odds about it, that *Kemish* killed himself; besides, the *Spaniards* to prevent *Raleigh's* Design, had built many new Fortifications unknown to *Raleigh* or *Kemish*.

Hereupon Sir *Walter* stormed the Town of *St. Thomas*, wherein he lost his Son *Walter*, but took the Town and sack'd it; and here the Souldiers took great Spoil, but with little Profit to Sir *Walter*, or any of the Adventurers with him: For the Souldiers and Seamen, being Reformades, and being under no severe Discipline, kept what they had got.

Now was Sir *Walter* in a most desperate State, he had no Friends at Court, and, which made the matter worse, he had disgusted all the Nobles and Gentlemen who had engag'd with him in this Expedition: he need not consult the Augurs what should be his Fate upon his Return, to prevent which he endeavoured to have got into *France*, and carry his Ship with him; but the Sea-men, who now had his Fortune in Contempt, would not forsake their Wives and Children, to partake with him in his Misfortunes, and so brought him back again into *England*.

It was resolv'd that Sir *Walter's* Misfortunes should lose him his Head, but how to do it with a face of Justice was the Question; for his Commission protected him from any Prosecution for the sacking of *St. Thomas*; and it would seem strange to execute him upon the Conviction in *Cobham's* Conspiracy sixteen Years before, especially since the King had discharged his Imprisonment upon it, and had granted him a Commission, wherein he called Sir *Walter* his beloved and faithful Sir *Walter*.

However this was the best Face could be put upon it, and upon the 28th of *October* next Year 1618, Sir *Walter* was brought from the Tower to the King's-Bench, to shew Cause why Sentence of Death should not pass upon him, *Mountague* being Chief Justice, upon his former Conviction: to which Sir *Walter* pleaded his Commission, which pardoned his Crime; For he could not be a Traitor and the King's beloved and faithful Servant at one and the same time: but this was over-ruled by the Court, which answered, That Treason could not be pardoned by Implication, but by express words: And next day he had his Head cut off in the Palace-Yard at *Westminster*.

In granting Sir *Walter Raleigh* this Commission, you may see by what an undistinguished Power Covetousness governs the Actions of

Princes, as well as meaner Men, against their Honour and Interest; for at the same time when the King granted this Commission, he was by Sir *John Digby* (after Earl of *Bristol*) treating a Marriage between Prince *Charles* and the *Infanta* of *Spain*, upon the Terms of a Portion of two Millions of Money with her: but if this Act of *Raleigh's*, and the difficulty of raising such a Portion, put no stop to the Progress of it, you'll soon see an Accident which shall make it utterly impracticable with the Maxims and Policy of *Spain*; yet so far was the King blinded with the Covetousness of getting the Portion, that he shall put his only Son into the Power of the *Spaniards* to obtain it.

The young *Villiers* and the King's Favourites governed the King without any Controul by the *English*, *Conchino Conchini* an *Italian*, *Marquess d'Ancre* and Marshal of *France*, and his Wife succeeded not so well in *France*; for after the Death of *Henry* the Fourth of *France*, these two governed *Mary d'Medicis*, *Henry's* Relict and Regent, as absolutely as our young Favourite did the King, which put the Princes of the Blood and Nobility into such a Ferment, that they several times rose in Tumults and Arms against them: Yet such was their Power with the Queen, that they continued as insolent after the King was declared of Majority as before, whereupon the Feuds of the Princes of the Blood and Nobility grew higher; hereupon *Luynes*, the King's Favourite, prompted the King to take off *Ancre* any way, which was so ordered, that *Ancre* coming into the *Louvre*, and reading a Letter, *Vitry*, Captain of the King's Guard, arrested him: *Me?* said *Ancre*; *Yes you*, by the Death of God, answered *Vitry*, who cried out, Kill him! whereupon he was killed by three Pistol Shots, the King owning the Fact. But *Ancre's* Fate did not end with his Life, for the next day after he was buried, the Lacquies of the Court, and Rabble of the City digged up his Coffin, tore his Winding-Sheet, and dragged his Body through the Gutters, and hanged it upon the Gibbet he had prepared for others, where they cut off his Nose, Ears and Genitors, which they sent to the Duke of *Main*, Head of the Popish League (the great Favourite of the *Parisians*) and nailed his Ears to the Gates of *Paris*, and burned the rest of his Body, and hurled part of the Ashes into the River, and part into the Air; and his Wife soon after was condemned by the Parliament of *Paris* for a Witch, for which she was beheaded.

In the Year 1618, a Blazon Comet appeared, and the *Marquess* of *Buckingham*, by the removal of my Lord Admiral *Nottingham* (who was so in the famous Overthrow of the *Spanish Armado* in 1588.) was made Lord Admiral, being as well qualified for that Office, as he was for being Prime Minister in *State-Affairs*.

It was no wonder that *Lewis XIIIth*, after the Death of the *Marquess d'Ancre* and his Wife, should remove his Mother from
State.

State-Affairs and confine her to *Blois*, to make room for *Luynes*, to govern him more absolutely than the Marquess and his Wife had done his Mother; for *Lewis* as he was of a feeble Constitution both of Body and Mind, so *Luynes* was a kind of Governor to him, appointed so by his Father *Henry* the 4th, to humour him in all his Childish Toys and Pleasures: So tho *Rehoboam*, when forty Years old, was governed by young Men, not in Years but Understanding; so neither was it any great wonder, that *Edward* the 2d, a young Man, should be governed by *Pierce Gaveston*, a Person of far more accomplished Parts than *Buckingham*, for *Gaveston* was bred up with *Edward*, and had so far by his Flatteries prevailed upon him, that *Edward* could not enjoy any Pleasure in his Life without him. But for an old King, having been so for above fifty one Years, to dote so upon a young Favourite, scarce of Age, yet younger in Understanding, tho as old in Vices as any in his time, and to commit the whole Ship of the Common-wealth both by Sea and Land to such a *Phaeton*, is a Precedent without any Example.

But how much soever the Safety of the *English* Nation was endangered hereby, yet the but mentioning any thing hereof was an Invasion of the King's Prerogative, and meddling with State-Affairs, which was above the Capacity of the Vulgar, and even of the Parliament, as you will soon hear. But how absolute soever the King was at Home, the face of Affairs Abroad stood quite contrary; for the *Dutch* having retrieved their Cautionary Towns out of his Possession, had the King in such Contempt, that they neither regarded him, nor his new Lord High Admiral; and this Year, says the Author of the Address to the Free-men and Free-holders of the Nation, in his second Preface, f. 13, 14. *The Dutch never before fished upon the Coast of England, till they had begged leave of the King or Governour of Scarborough Castle; but this was now thought beneath the Magnificence of the Hogan Mogans, and therefore they refused it. They had been formerly limited by our Kings, both for the Number of their Vessels they should fish with, and the time: Now they resolve to be their own Carvers, and in order to that, denied the English the Sovereignty of the British Seas; and as if this had not been enough, drew nearer and nearer upon the English Shores Year by Year than they did in preceding Times, without leaving any Bounds for the Country-People or Natives to fish upon their Princes Coasts; and oppressed some of his Subjects, with intent to continue their pretended Possession, and had driven some of their great Vessels through their Nets, to deter others by like Violence from fishing near them, &c. as Secretary Nanton, January 21, 1618. told Carleton, the Dutch Ambassador: And to justify all this, they set out Men of War with their Fishermen to maintain all this by Force. But it was not Fish our new Lord Admiral cared for; nor did he care for the*

King's Sovereignty of the *British Seas*, so as he might be Lord High Admiral in Name.

The Sails of *Buckingham's Ambition* were not full swelled, till to the Title of Lord High Admiral, the Lord Warden of the Cinque-Ports was added to it, tho he regarded the guarding the Coasts of *England* as little as he did the Sovereignty of the *British Seas*: Nor did the accumulated Honours to himself alone satisfy his Ambition, but a new Strain, his Mother, tho a professed Papist, mu't be pullied up with him in a concurring Title of the same Honour, by being created Countess of *Buckingham*. And being thus exalted she forsook her Husband's Bed, which she sanctified by being converted to the Church of Rome; and as her Son governed the King, so she governed her Son, so that, as Mr. Wilson observes, fol. 149. tho her Son acted in appearance in all Removes and Advancements, yet she wrought them in effect, for her Hand was in all Actions both in Church and State; and she must needs know the Disposition of all things, when she had a feeling of every Man's Pulse; for all Addresses were made to her first, and by her conveyed to her Son (for he looked more after Pleasure than Profit) which made Gundamor (who was well skill'd in Court Holy-Water) among his other witty Pranks, write merrily in his Dispatches to Spain, that there were never more hopes of *England's Conversion to Rome* than now. [For there were more Oblations offered here to the Mother than to the Son.] Then he tells the Marquess's Behaviour to attain his Ends of Ladies, how he married the Earl of Rutland's only Daughter, the greatest Fortune in *England*, but being a Papist, how she was converted by Dr. White (tho the Bishop of *Litchfield* attributes her Conversion to Dr. Williams, Dean of *Westminster*) but was brought back to the Church of Rome by the Countess of *Buckingham*.

The next Year, if you begin at *January*, Queen Ann died the 22d of *March*; but this is but a beginning of the King's Sorrows, at least of his Troubles: But this no way troubled our young Favourite, but to encrease the Honour of his Family by Sir George's second Brood, in *June* following he had his eldest Brother John created Baron *Stoke*, and Viscount *Purbeck*, tho I do not find he ever gave him one Penny to maintain these Titles.

Such disgust the King had taken at the Commons representing the Grievances to him in the last Parliament, that in his Cups, and among his Familiars upon all Occasions, he would inveigh against Parliaments, saying, *God is my Judge, I can have no Joy of any Parliament in England; and that he was but one King, and there were above five hundred in the House of Commons*: So as if he could have helped it, he never would have been troubled with another: but as the Marriage of his Daughter with the Elector *Palatine* was the cause of his calling the last Parliament, so the Consequence

quence of this Marriage put him upon the necessity of calling another.

But because Mr. *Rusworth*, *Franklin*, and all other our Writers at home, have either mistaken the Cause, or taken it too short, we will look into it from abroad.

Before *Ferdinand*, the first of that Name, Emperor of *Germany*, and younger Brother of *Charles the 5th*, the Kingdom of *Bohemia* was elective; and tho they often chose the *German* Emperors their Kings after the *Turks* became great in *Europe*, as *Charles the 4th*, *Wenceslaus* his Son, *Sigismund* and *Albert* (the first of the Family of the House of *Austria*) yet in the Year 1440 they chose *Uladislaus* King of *Hungary*, who was a *Polander*, to be their King, who being slain at the great Battel of *Varna* against *Amurath the 2d*, 1444, they chose his Son *Uladislaus* (an Infant) King of *Hungary*, whose Guardian in his Minority was *John Huniades*, the famous Champion against the *Turks*. After *Uladislaus* (who died without Issue) the *Bohemians* in 1456, chose *George Boghebracius*. After him in 1470, they chose *Uladislaus*, the Son of *Casimir* King of *Poland*, who had Issue a Son named *Lewis*, and a Daughter named *Ann*, married to *Ferdinand*, Brother of *Charles the 5th* Emperor of *Germany*: this *Uladislaus* was likewise chosen King of *Hungary*, and died in the Year 1516. his Son *Lewis* being then an Infant, was chosen King of *Bohemia* and *Hungary*; and ten Years after, viz. 1526, *Lewis* was overthrown and slain by *Solyman the Great Turk*, at the Fight at *Mohatz*.

With *Lewis* fell the Glory and Majesty of *Hungary*, the Paradise of the World, of a sweet and temperate Climate, a most healthful Air, the Soil exceeding fruitful, yet reserving Mines of Gold and Silver in its Bowels; abounding with Cattel, of a larger size than elsewhere, which it supplied *Germany*, *Italy* and *Turkey* with; watered with the noblest Rivers of *Europe*, the *Danube*, the *Drave*, *Save*, *Tibiscus*, &c. as fruitful with Fish as the Land was with Cattel, excelling the Countries in manifold and fair built Cities and Towns.

Hungary, at the Death of *Lewis*, from the time when *Matthias* (the Son of the famous *Huniades*) began to reign over them, for 70 Years enjoyed perfect Peace within, and abroad had the Reputation of the most Warlike Nation, and of all other the best Frontier, to stop the further Rage of the *Turkish* Arms in *Europe*: But in this long Peace, the People, especially the Clergy, became excessive rich, accompanied with intolerable Pride, and all other Vices which accompany Luxury and Ease.

In this high Conceit of themselves, the Clergy (especially *Tome-rius*) put the King with an Army of 25000 Men only, to fight with *Solyman* with 300000 *Turks*, twelve to one, wherein not only the King, but also *Tome-rius*, and the Flower of all the Nobility of *Hungary* fell; here the Fate of *Hungary* began, but did not end here.

For

For *Ferdinand* having married *Lewis* his Sister, and assisted by his Brother *Charles*, set up for himself to be King of *Hungary* in right of his Wife, which the major part of the Nobility, not slain in the Battel of *Mohatz*, refuse to submit to, and chose *John Sepuce*, *Vaivod* of *Transilvania*, to be their King; and *John* being too weak to oppose *Ferdinand*, flies to *Solyman* for his Assistance; so that *Hungary*, which before was the Barrier against the Progress of the *Turkish* Power in *Europe*, now opens her Gates to let it in: however the *Turk* being engaged in Wars against the *Persians*, *Ferdinand* prevailed against both, and *John* and *Ferdinand* came to this Agreement, That *John* should enjoy that part of *Hungary* whereof he was possesst during Life, and *Ferdinand* the whole after his Death.

Soon after *John* died, leaving the Queen with Child, which proved a Son; and the Nobility, which before chose the Father King, now chose the Son, and joining with the Queen, call in *Solyman* for their Assistance, who by this Call enters *Buda* (the Regal City of *Hungary*) and turns the Queen and her Son out, giving him only the Title of *Vaivod* of *Transilvania*: Now was *Hungary* become the Theatre for above 150 Years of all those Calamities which both Civil and Foreign Wars bring upon a Country; so that of the most fruitful and best inhabited Kingdom in *Europe*, it became the most desolate and uninhabited, the Inhabitants being made use of only to be Slaves either to imperious Souldiers, or lazy and idle Clergy-men.

If *Hungary* were the Paradise of the World, *Bohemia* was not less of *Germany*; and as an Island is encompassed with Waters, so is *Bohemia* environed with Mountains, which, like a Garden with Walls, encompassed a most rich, pleasant and healthful Kingdom; and to this Kingdom, as well as that of *Hungary*, does *Ferdinand* lay Claim in right of his Wife; and being assisted by his Brother *Charles*, and further from the Assistance of the *Turks*, he forced the *Bohemians* to submit to his Empire; but this was not only during his and his Wife's Life, and her Heirs, but to his Heirs Male, tho he claimed in right of his Wife. And herein you must observe, That the *Bohemians* at this time, as well as their Ancestors before, were Enemies to the Popish Tyranny and Heresies, so that *Zisca*, the famous Captain of the *Hussites*, about one hundred Years before, in many Battels, in Opposition to the Popish Tyranny, overthrew the Emperor *Sigismund*; and *Ferdinand* was a zealous Maintainer of the Popish Supremacy and Usurpations in Religion as well as Tyranny.

Ferdinand had Issue two Sons, *Maximilian* who succeeded him in the Empire, as well as in the Kingdoms of *Bohemia* and *Hungary*, and *Charles* the first Arch-Duke of *Austria*. *Maximilian* had Issue *Maximilian*, *Rodolph*, *Matthias* and *Albert*, Governour and Prince of the *Spanish Netherlands*, with whom King *James* in the second Year of his Reign made the League before spoken of.

Rodolph

Rodolph in 1576, succeeded Maximilian in the Kingdoms of Bohemia and Hungary, as well as in the Empire: This Rodolph, Helvicus says, was a Prince most worthy of all Praise, the Refuge of good Learning, Ensign of Peace and Clemency; and in the Year 1609, granted Liberty of Conscience to the Bohemians and Austrians.

Matthias, Rodolph's Brother, succeeded him in the Kingdom of Bohemia, and the Empire in 1614; but Matthias having no Issue, and the Issue Male of Maximilian ending in him, a Question might arise about the Succession to the Crowns of Hungary and Bohemia: for admitting the Succession were hereditary, then by the Laws of Inheritance these Crowns would devolve upon the King of Spain, Philip the Third, whose Mother Anna was Daughter to Maximilian the Second, and therefore to be preferred before Ferdinand, Arch-Duke of Austria, descended from Charles, Maximilian's younger Brother: To prevent this, the Popish Party, jealous of the Consequences, prevail upon, or rather forced the Emperor Matthias to surrender his Title to the Kingdom of Bohemia to his Cousin Ferdinand, a zealous Assertor of the Supremacy of the Church of Rome.

The Bohemians having this farther strain of their Crowns being disposed of to another, and dreading the Disposition of this Ferdinand, assembled at Prague (the Regal City of Bohemia) and demand a General Diet of the Kingdom to bring their Grievances thither; herein they did not apply themselves to Ferdinand, as their King, but to Matthias the Emperor; but Matthias denied, or deferred it (to use Nani's words, who, tho a Venetian, seems to me to be very partial against the Bohemians) whereupon the Bohemians upon the 23d of May 1618, parted in a Rout, and believing the Counts Martinitz, Slavata, and Philip Fabricius, most zealous Papists, to be the Motives of Matthias his Denial, flung them out of the Windows of the Castle of Prague, but they escaped by a Miracle, as Nani says, lib. 4. p. 127.

The Count de la Tour in this Commotion, makes a most pathetic Oration to the Bohemians, wherein he sets forth how the Privileges of the Kingdom were violated, and the Exercise of their Religion forbid, and made to descend upon the Will of Princes: That the usurped Crown of Bohemia passed from Head to Head, as the Revenue and Inheritance of one House; and to establish an everlasting Tyranny, being ravished before its time from Successors, in spite of Death is never suffered to be vacant, &c. And then goes on, What have we not yet suffered? The use of Life comes now to be denied us, and the Usufruit of our Souls contested; but all our past Miseries will not be able to call to Remembrance but some imperfect Representations of the Calamities to come: In sum, Rodolph lived amongst us, Matthias has reaped us as the first Fruits of his ambitious Desires; (for Matthias had forced Rodolph to resign the Crown of Bohemia to him, as Ferdinand had done to Matthias) But what may we expect from Ferdi-

Ferdinand, unknown to us, and in himself rigorous, directed by Spanish Counsels, and governed by that sort of Religious Priests and People, who detest, with an equal Aversion, our Liberty and Belief? He was born and bred up in the Abhorrence of us Protestants, and why should we be so forward to make trial of it? Since the Persons banished, the Families displanted, the Goods violently taken away, demonstrate too cruelly to us, that he would abolish our very Being, if he could as easily command Nature as he uses Force, Wo to you Bohemians, to your Children, to your Estates, to your Consciences, if you suffer this Ferdinand to keep his footing in the Throne: And when will you attempt to shake off the Yoke, if you have not Courage to do it at a time when without Power, without Guard, the Kingdom is in your own Power, and that you have two Kings to oppose you, one whereof is fallen, and the other totters? &c. which you may read at large in the fourth Book of Nani; and concludes, *The Lot is drawn, Liberty, or the Hangman: If Conquerors, we shall be Just, Free and Princes; if overcome, Perfidious, Perjured and Rebels.*

The Inhabitants of Prague before disposed, took fire at this Oration of *De la Tour*, and chose a Magistracy of Thirty, with the Title of *Directors*, to carry on a Government in opposition to Ferdinand; and what happened in Prague, was no sooner divulged through the Kingdom, but all was in a Revolt, drawing also the Provinces of *Lusitania* and *Silesia*, adjoining to them, into their Confederacy.

Matthias had a Counsellor named *Gieselius*, upon whose Advice and Integrity *Matthias* relied above all other Men, who advised *Matthias* by all fair means possible to compose the Commotions of the Bohemians; for if he should come to a Rupture with them, and *Matthias* be compelled to raise an Army, the Interest of Ferdinand was such, not only in the Spanish Councils, but the Popish in Germany, and the hereditary Countries, that he would command it, and thereby be in a Condition to ravish the Empire from him, as he had done the Crown of Bohemia; and *Matthias* feeling yet this Flesh-wound, feared that mortal one, if Ferdinand were put on the Head of an Army.

Hereupon Ferdinand, without any regard to the Majesty and Authority of *Matthias*, resolved to arrest *Gieselius*, and separate him from giving any farther Advice to *Matthias*; and one day being called to Council, where the King was with one *Ognate*, *Gieselius* was seized upon by *d'Amptere* and *Prainer*, and put into a close Coach, and guarded by an hundred Horse, hurried away to *Inspurg*.

Matthias was astonished at this bold Insolence, which struck at his Authority in the tenderest part, and now without any Council, left in the Hands of his Cousin, who designed to rise out of his Ruin, became so overwhelmed with Melancholy, that both asleep and awake, he could not be with-held from crying out with a loud Voice, *That Gieselius might be brought back again*, but all to

no purpose, for he shall never live to see him again; and in these Agonies he had some thoughts to have cast himself into the Arms of the *Bohemians*, but it was not in his Power to do it. These things were in 1618, at the end whereof *Matthias* died.

These Commotions in *Bohemia* and other parts of the Empire, encreased after the Death of *Matthias*, so that the Election of an Emperor was controverted till the 30th of August 1619, when *Ferdinand* was chosen; having by large Promises prevailed upon *George Duke of Saxony* to vote for him.

But however, the *Bohemians* were stiff in opposing his Election to the Kingdom of *Bohemia*, and offered the Crown to *Charles*, Duke of *Savoy*, tho a Popish Prince, and who had a better Title to the Crown of *Bohemia* than *Ferdinand*; his Mother being a younger Daughter of *Maximilian* the 2d, but prevailed upon by the Pope and *Spanish* Councils, he refused it, as did the Duke of *Saxony*; and then they chose *Frederick Count Palatine*, hoping to receive great Assistance from King *James* his Father-in-law, but were mistaken in the Man.

Upon this Election *Abbot Arch-Bishop of Canterbury* was all on Fire, to persuade the King to assist his Son-in-law, and to that purpose wrote a long persuasive Apology to the King concerning it, which you may read at large in *Rushworth's Collections*, fol. 12. but the King and Bishop were not of the same Opinion; for the King would have it, that the Election of his Son-in-law was upon the Score of Religion, not Right, and therefore dissuaded him from it; but being a mighty Man of Embassies, as well as Words, *Nani* says fol. 138. published, that he would assist his Son-in-law, and dispatched an Ambassador to *Vienna*, proposing that *Bohemia* should remain to *Frederick*: But if his Authority by words would not settle his Son-in-law, King *James* could not go further. *Frederick* thus forsaken by his Father-in-law, raised upon his own account 10000 Foot and 2000 Horse, and entred *Prague*; and was crown'd King on the Fourth of *November* 1619, and was no sooner crown'd, but laid the Foundation of his own Ruine: for the Counts *De la Tour* and *Mansfield*, who had raised two Armies and kept up the *Bohemians*, till the King's coming to *Prague*, were not only neglected, but the Prince of *Anhalt*, whom the King brought with him, was made not only Generalissimo of the Army the King brought, but of the Armies raised by *de la Tour* and *Mansfield*; besides, the King, tho he had got a vast Treasure, was niggardly in paying the Souldiers, which necessitated them to take free Quarters upon the *Bohemians*.

In this disgusted State with the *Bohemians*, the King having withdawn so great Forces out of the *Palatinate*, lett it exposed to the Ravages of the *Spaniards*, who under the Command of *Am-brose*, Count *Spinola*, General of the *Spanish* Army, under the

Arch-Duke *Albert* (whom the King in the Treaty of the 2d Year of his Reign calls *His renowned and dear Brother*) made terrible Wars in the *Palatinate*.

Here you may see how unhappy King *James* was in the Peace or Truce he procured the King of *Spain*, and the Arch-Dukes to make with the *Dutch* in 1609, for twelve Years; for in this Interval, the *Dutch* did not only retrieve their Cautionary Towns out of the King's Possession, but the Truce still continuing, the Arch-Duke had not only an Opportunity to assist the Emperor, but to send *Spinola* with an Army to invade the *Palatinate*; and the Emperor by an imperial Ban, had proscribed the King's Son-in-law a Traitor and Rebel to the Empire, and thereupon forfeited his Electoral Dignity and Estate, which he gave to *Maximilian*, Duke of *Bavaria*, and committed the Execution of it to the Arch-Duke *Albert*, the Elector of *Saxony*, and Duke of *Bavaria*.

King *James* was startled at this Return to his Proposition at *Vienna*, that his Son-in-law shall possess the Crown of *Bohemia*; and now complains that his Childrens Patrimony would be lost, and that he would not sit still, and take no further Care in it, and therefore sent another Ambassadour to the Arch-Duke at *Brussels*, to expostulate the matter; and this was the utmost he was able to do, and was forced to strain his Credit for it: but lest this should not do, tho' fore against his Will, he resolved to call another Parliament, and try their *Good Will* towards it.

But that we may take all things before us, as they stood at the Meeting of this Parliament, the King notwithstanding the Attempt of Sir *Walter Raleigh* upon the *Spanish West-Indies*, had still by Sir *John Digby* continued the Treaty of Marriage between the Prince of *Wales*, and the *Infanta Maria* of *Spain*, with the same Confidence of Success, as if the King of *Spain* had not been concerned in Sir *Walter's* Expedition: But the Court of *Spain*, to check the King's forward Desires, demand high Privileges for the *Romanists*, which amounted to little less than a *Toleration*; and that the Pope must be satisfied in his Conscience, before he could grant a *Dispensation* for the *Infanta* to marry with an Heretick Prince; both which the King and Prince agreed to, and were signed by them both, though afterwards.

But however the Agreement between the Pope, King and Prince was not much known, the Liberty granted to the *Roman Catholics* was generally taken notice of; and beside, the Generality of the Nation, notwithstanding the Benefits received by the *Spanish Trade*, still retained an Aversion to the *Spaniards*, which made the *Spanish Match* hated and feared by them; and how much more they hated and feared the *Spaniards*, so much more zealous were they for the King's Assistance of his Son-in-law in his Title to the Kingdom of *Bohemia*, as well as in the Preservation of the *Palatinate*, now invaded by the Emperor and King of *Spain*.

Thus

Thus things stood when the King's Necessities forced him to the unwilling Resolution of calling another Parliament : but they did not stay here, for upon the 9th of November happened the fatal Battel at Prague, fought by above 60000 Combatants, wherein, tho the *Bohemians* were superior in Number, the *Imperialists* were in Discipline and Valour ; and tho the King was the principal Object of the War, yet he thought not fit to engage in the Battel, but stood at a distance out of Harm's way to observe the Event of it.

After two hours Fight, the *Bohemians* were utterly overthrown and routed, 6000 being killed, and more taken Prisoners, with all their Colours, Baggage, Guns and Ammunition, and scarce 300 of the *Imperialists* killed ; the Prince of *Anhalt* was the first who gave the King notice of his Overthrow, with Advice to provide for his Safety, which the King thought to do by flying back into Prague, but found no Safety there.

For the Duke of *Bavaria*, General of the *Imperialists*, followed him close, and summons him to surrender the City, and quit his Claim to the Kingdom : The King demands 24 Hours respite to answer, but *Bavaria* only grants him 8, to which without any Reply, next Morning the King, with the Queen, big with Child, and their Children fly out of Prague, and by unfrequent Ways, by almost a Miracle, escape to *Uratistavia*, leaving the Heads of his Party in Prague to be Victims, after an horrible Sacrifice, to their enraged and bloody Enemies, and all that inestimable Wealth, which he had got together, and was so niggardly of to his Souldiers, to be a Prey to his Enemies also.

In this disastrous State, *Frederick* driven out of *Bohemia*, the *Palatinate* invaded and overrun by *Spinola*, and having lost all his Wealth, as well as Kingdom and Country, retires with his Wife and Children into *Holland* ; more supported by the *Dutch*, Prince of *Orange*, and some of the *English* Nobility, and Arch-Bishop Abbot, than by the King, whose Bounty lay another way ; and since he could not obtain Aids from his Father-in-law for the Preservation of his Country, yet he became a Suitor to the King to solicit the *Imperial* Court for the Conservation of the *Palatinate*, which the King did, but did him no good, and further the King would not go ; but vainly promised to himself he could do it, by the Marriage of his Son to the *Infanta* of *Spain*, and get two Millions of Money for her Portion to boot.

Though the *English* Nobility patiently truckled under the Ambition and Covetousness of *Buckingham*, yet the same Genius was not found in the *French* Princes of the Blood, and Nobility, under the prodigious Pride, and exorbitant Promotions of *Luyes* : to restrain them, or it may be, to force *Luyes* from the King's Favour, the Queen-Mother made a League with the Count of *Soissons*,

Soissons, (a Prince of the Blood) the Count *Vendosm* and Grand Prior of *France*, (both natural Sons of *Henry the 4th of France*) against him, and the Dukes of *Longuevil*, *Main* and *Espernoon* joined with them, so did those of the reformed Religion under the Duke of *Rohan*, and his Brother *Sobiez*, Princes of the Blood of the Line of *Navarr*.

But these Commotions, being sudden and ungrounded, were soon suppressed, and the King was reconciled to the Queen and Popish Nobility, and the greatest Loss fell upon those of the Reformed Religion, who lost *St. John de Angely*, *Gerseau*, *Sancerre* and *Saumur*, which were all the Cautionary Places which the Reformed had upon the *Loire*, and also *Suilly*, *Merac* and *Caumont*. King *James*, that he might as much appear for the Reformed, as he had done for his Son-in-law, sent *Sir Edward Herbert*, after *Baron Herbert of Cherberry*, his Ambassadour into *France*, to mediate a Peace between the King and the Reformed, and in Case of Refusal, to use Menaces, which *Sir Edward* bravely performed, to *Luynes*, and after to the French King himself; which being misrepresented to King *James*, *Sir Edward* was recalled, and the Earl of *Carlisle* was sent Ambassadour into *France* in his room; and the Earl finding the Truth to be otherwise than was represented by *Luynes*, acquainted the King with it: Hereupon *Sir Edward* kneeled to the King, and humbly besought him, that since the Business between *Luynes* and him was become publick, that a Trumpeter, if not an Herald on *Sir Edward's* Part might be sent to *Luynes*, to tell him, That he had made a false Relation to the King of the Passages between them; and that *Sir Edward* would demand Reasons of him with Sword in Hand on that Point: but the King was not pleased to grant it; and here began the Downfal of the Power of the Reformed in *France*, and the Rise of the French Grandeur by Land.

In this rotten and teachy State of Affairs, before the Meeting of the Parliament, the King issued out a Proclamation, (of which he was as prodigal, as bountiful to his Favourites) forbidding Men to talk of *State-Affairs* (as if his Favourite *Buckingham*, who governed all, was so mindful of them;) nor was the King less jealous of the Parliament's meddling with *State-Affairs*, than of the Peoples talking of them out of Parliament, so that the King upon the opening of the Parliament the 30th of *January*, told them of the Constituting Parts of a Parliament, and how it was twelve Years since he had received any Aids from Parliaments; and how that though he had prosecuted a Treaty of Marriage between the Prince and *Infanta of Spain*, which if it were not for the Benefit of the Established Religion in *England*, and of the Reformed abroad, he was not worthy to be their King; and though he had refused to assist his Son-in-law in his Election to the Kingdom of *Bohemia*, being a matter of Religion contrary to what he had

wrote

wrote against the Jesuits, yet that he could not sit still; and see the Patrimony of his Children torn from them by the Emperor; and therefore was resolved to raise an Army next Summer; and that he would engage his Crown, his Blood and Soul for the Recovery of the *Palatinate*: And having before told the Commons of their Duty to petition the King; and acquaint him with their Grievances, but not to meddle with his Prerogative; he after tells them, that who shall hasten after Grievances, and desire to make himself popular, has the Spirit of *Satan*.

The Parliament, notwithstanding the violation of their Privileges the last Parliament; by the King's imprisoning their Members; yet being zealous to assist the King against the Emperor, and King of *Spain*, in favour of the *Palgrave*; and though the Nation at no time before so much abounded in Corruption and Grievances, yet to humour the King, inverted the Methods, of Proceedings in Parliament; and the Commons granted the King two entire Subsidies, and the Clergy three, before they entred upon Grievances, which so, pleased the King, that in a Speech in the House of Lords, he declared it was more acceptable to him than Millions; it shewing he reigned in the Love and Affections of his Subjects, but he did not long hold in this Mind.

At this Sessions of Parliament, (if it may be called so, no Act but that of the Subsidies passing) Sir *Giles Mompesson* and Sir *Francis Michel*; were sentenced and degraded, for erecting new Inns and Ale-houses, and exacting great Sums of Money by pretence of Letters Patents granted for that purpose; Sir *Giles* fled, and so escaped a farther Punishment, but Sir *Francis* was condemned to perpetual Imprisonment in *Finsbury Goals*. Sir *Francis Bacon*, Viscount *Verulam*; and Lord Chancellor, was likewise censured; deposed, fined, and committed Prisoner to the Tower for Bribery; and *Bacon's Fall* was Doctor *Williams's* Rise, Dean of *Westminster*, to be Lord Keeper of the *Great Seal*.

But the Commons debating the Growth of Popery, and the dangerous Consequences of the *Spanish Match*, contrary to the King's Speech and Inclinations, he upon the Fourth of *June* (which the Commons took to be an Invasion upon their Privileges) by Commission adjourned them to the 14th of *November*; and by a Proclamation forbid the talking of *State-Affairs*. In this recess the *Spaniards* took *Stein* in the lower *Palatinate*; and the Duke of *Bavaria* all the Upper *Palatinate*; and the Arms of *Lewis* prevailed more upon the *Reformed* in *France*; yet none of these prevailed upon the King, further than to mediate a Suspension of Arms; in order to treat an Accommodation between the Emperor and his Son-in-law, and the *French King* and the *Reformed*, which had no other Effect, but to make the King contemptible in *Germany* as well as *France*, his Power and Authority being bound-

ed up only in Words and Messages, which the King's ill-Willers blazing abroad, cost the King more than would have recovered the *Palatinate*.

However the King abated nothing of his Pleasure and dissolute Life, but according to the usual Methods of his Life, in the *Autumn* went to *New-Market* to divert himself with Hunting, from the trouble of Affairs, either foreign or domestick, leaving his Favourite *Buckingham* Dictator of all his Affairs, when the Parliament met again: But how remisſive ever the King was of his Affairs, the Commons were not, perhaps heated by their Adjournment, and alarmed at the Progress of *Lewis* against the *Reformed in France*; and of the Emperor, and King of *Spain*, not only in the *Palatinate*, but all over the Empire against the Protestants; and also with the Liberty which the Popish Party took, upon the hopes they conceived would accrue to them by the *Spanish Match* still as fervently pursued by the King and Prince as ever, the King being encouraged hereto by the Earl of *Bristol*, the King's Ambassador in *Spain*, but more by the *Spanish Ambassador Gundamor* here: *A Person*, as *Nail* observes, who with a stupendous Acuteness of Wit, so confounded pleasant things with serious, that it was not easy to be discerned when he spoke of Business, and when he rallied; he had so insinuated himself into the Mind of the King, that he need not take any further care of restoring his Son-in-law to the *Palatinate*, but by Prince *Charles* his marrying with the *Infanta*, the Treaty whereof now is 8 Years old, being brought to Maturity and Perfection so soon as the Pope should grant a Dispensation.

The House of Commons hereupon, being ill satisfied with the Distribution of the Subsidies before granted to the King, resolve to proceed upon Grievances before they granted more Supplies, and to that end drew up a long and particular Remonstrance, which you may read at large in Mr. *Kushworth's* Collections, fol. 40, 41, 42, setting forth the dangerous State of the Nation, and of *Christendom*, by the Alliances of the Pope and Popish Princes, especially the King of *Spain*, chief of the *League*, and what dismal Consequences would follow by the Marriage of the Prince with the *Infanta*, &c. yet resolve to grant the King another Subsidy for carrying on the War for the Recovery of the *Palatinate*; but withal humbly desired his Majesty to pass such Bills, as shall be prepared for his Honour, and the general Good of his People, accompanied with a general Pardon as is usual; concluding with their daily Prayers to the Almighty, the great King of Kings, for a Blessing upon their Endeavours, and for his Majesty's long and happy Reign over them, and for his Childrens Children after him, for many and many Generations.

The Noise of this Remonstrance so disturbed the King in his Pleasures at New-market, which all his Cares for the Preservation of his Son-in-law's Patrimony could not do, that upon the 3d of December he wrote to Sir Thomas Richardson, Speaker of the House of Commons, this Letter, which because of the Rarity of it by any King of England to his Parliament before, we will give *verbatim*.

Mr. Speaker,

WE have heard by divers Reports to Our great Grief, that Our distance from the Houses of Parliament, caused by our Indisposition of Health, hath imboldned the fiery and popular Spirits of some of the Commons, to argue and debate publickly of Matters far above their Reach and Capacity, tending to Our high Dishonour, and breach of Prerogative Royal. These are therefore to command you to make known in Our Name unto the House, that none therein from henceforth do meddle with any thing concerning Our Government, and deep Matters of State, and namely not to deal with Our dear Son's Match with the Daughter of Spain, nor to touch the Honour of that King, or any other of Our Friends and Confederates; and also not to meddle with any Man's Particulars, which have their due Motion in any of Our ordinary Courts of Justice. And whereas We hear they have sent a Message to Sir Edwin Sandys, to know the Reasons of his late Restraint, you shall in Our Name resolve them, that it is not for any Misdemeanor of his in Parliament; but to put them out of doubt of any Question of that nature, that may arise among them hereafter, you shall resolve them in our Name, that We think our self very free and able to punish any Man's Misdemeanors in Parliament, as well during their Sitting as after, which We mean not to spare hereafter, upon any Occasion of any Man's insolent Behaviour there that shall be ministred unto Us: And if they have already touched any of these Points, which We have forbidden, in any Petition of theirs which is to be sent to Us, it is Our Pleasure that you tell them, That except they reform it before it comes to our Hands, We will not deign the Hearing nor Answering of it.

The Commons having a publick Trust reposed in them, and truly apprehensive of the dangerous State of the Protestants in Christendom, as well as of the Kingdom; and that not only the King's remissness in taking care of both, but the Designs he prosecuted, were equally dangerous to both; in a most humble and supplicant Remonstrance, represent to the King his recommendation of the Affairs of the Palatinate to them, and the dangerous State of Christendom: in discourse whereof they did not assume to themselves any Power to determine of any part thereof, nor intend to encroach or intrude upon the Sacred Bounds of his Royal Authority,

thority, to whom, and to whom only, they do acknowledg it does belong to resolve of Peace and War, and of the Marriage of the most noble Prince, his Son; but as his most loyal and humble Subjects do represent these things to his Majesty, which otherwise could not, so clearly come to his Knowledg, &c.

They beseech his Majesty that they may not undeservedly suffer by the Misinformation of partial and uncertain Reports, which are ever unfaithful Intelligencers; and not give Credit to private Reports against all, or any of their Members, whom the House hath not censured, until his Majesty hath been truly informed from themselves, that they may stand upright in his Majesty's Grace and good Opinion, than which no worldly Consideration can be dearer to them, &c. Which you may read at large in Mr. Rushworth's Collections, Fol. 44, 45, 46.

The King having cast the Sheet-Anchor of all his Hopes upon the Spanish Match, whereby he should not only re-establish his Son-in-law in the *Palatinate*, and get more Money than he could hope for in Parliament, furl'd all his Sails, and resolv'd to ride out this Storm of the Commons, notwithstanding his Pleasures and Indisposition of Health, in a long Invektive against them in a *Scotish* Dialect, which you may read at large in *Rushworth's Collections*; the Heads whereof were,

1. That he must repeat the Words of *Queen Elizabeth* to an insolent Proposition, made by a *Polonian* Ambassador, *Legatum expectabamus, Heraldum accepimus*, that he had great Reason to have expected better from them, for the 37 Monopolies and Patents called in by him since the last Recess; and for the three, whereof *Mompesson* and *Michel* were censured: but of these he heard no news; but on the contrary, Complaints of Religion, tacitely implying his ill Government.

2. That the taxing him with trusting to uncertain Reports, and partial Informations concerning their Proceedings, was needless, being an old and experienced King, and in his Conscience the freest of any King alive from hearing or trusting to idle Reports: That in the Body of their Petition, they usurp upon his *Prerogative Royal*, and meddle with things far above their Reach, and then protest to the contrary; as if a Robber should take away a Man's Purse, and then protest he meant not to rob him.

3. That his Recommendation of the War for regaining the *Palatinate*, was no other than if it could not be recovered otherwise, which can be no Inference, that he must denounce War against the King of *Spain*, break his dearest Son's Match, and match him to one of our Religion; which is all one as if we should tell a Merchant we had great need to borrow Money of him for raising an Army, and that thereupon it should follow, that we were bound

to follow his Advice in the Direction of the War : That this Plenipotency of theirs, invests them with all Power upon Earth, lacking nothing but the Pope's, to have the Keys both of Heaven and Purgatory : That it was like the *Puritans* in *Scotland*, to bring all Causes within their Jurisdiction ; or like *Bellarmino's* distinction of the Pope's Power over Kings, in *ordine ad Spiritualia*, whereby he gives them all temporal Jurisdiction over them.

4. That he expected the Commons would have given him Thanks for the long maintaining a settled Peace in all his Dominions, when all our Neighbours about are in a miserable Combustion of War ; but *Dulce Bellum inexpertis*.

5. That he had ever professed to restore his Children to their Patrimony by War or Peace, and that by his Credit and Intervention with the King of *Spain* and Arch-Dukes, he had preserved the lower *Palatinate* from the farther conquering for one whole Year ; and that his Lord Ambassador *Digby* had extraordinarily secured *Heidelberg*.

6. That he could not couple the War of the *Palatinate* with the Cause of Religion, and that the War was not begun for Religion, but only by his Son-in-law's hasty and rash Resolution to take to himself the Crown of *Bohemia* ; and that this Usurpation of it from the Emperor had given the Pope, and that Party, an Occasion to oppress and curb many thousands of our Religion in divers parts of *Christendom*.

Here I desire that the Reader take notice of the Case of the *Bohemians*, as it is set forth by *Baptista Nani*, fol. 126. Anno 1618, after they had Liberty of Conscience granted them by *Rodolph* the Emperor, and that *Ferdinand* had no colour of Title to the Kingdom of *Bohemia*, but as he forced the Emperor *Matthias* to surrender it to him.

Ferdinand, says he, bred up in the Catholick Faith, detested all sorts of Errour ; and therefore by how much not succeeding to the Father, he found the Patrimonial Countries incumbered with false Opinions, so much more with signal Piety had he applied himself to promote the true Worship, with such Success, that at last those Provinces rejoiced to be restored to the Bosom of the Antient Religion : But this was not without some Sort of Severity, so that many not to leave their Errours were constrained to abandon their Country, and sell their Estates, living elsewhere in Discontent and Poverty ; and others driven away by force, and their Estates confiscate, saw them not without Rancour, possessed by new Masters ; and all this done in the Life of *Matthias* : So that *Ferdinand*, as his Title was Usurpation and Force, so was the Exercise of it Tyranny in the highest Degree, to the Overthrow of the Bohemian Laws

and Liberties; therefore the Original of the Bohemian War was not founded in the Election of Frederick to be King, for Ferdinand perpetrated these things two Years before.

Nani goes on and says, in the Empire therefore, in which the Religion no less than the Genius is for Liberty, there appeared great Apprehensions, that where Ferdinand should get the Power, he would exercise the same Reformation, and impose a Yoke so much the more heavy, by how much standing in need of Money, and the Counsels of Spain, he should be governed by the Rules and Maxims of that Nation, so hateful to the Germans: So that it was not the Election of Frederick to be King of Bohemia, that opened that Gate for the Pope and his Party, for curbing and oppressing of many thousands of our Religion in divers parts of Christendom, as the King said, for it was set wide open before by Ferdinand.

7. That the Commons Debates concerning the War with Spain and Spanish Match, were Matters out of their Sphere, and therefore *de sutor ultra crepidam*, and are a Diminution to him and his Crown in Foreign Countries: That the Commons in their Petition had attempted the highest Points of Sovereignty, except the stamping of Coin.

8. That for Religion, he could give no other Answer than in general, that the Commons may rest secure, he will never be weary to do all he can for the Propagation of ours, and repressing of Popery; but the manner they must remit to his Care and Providence.

9. That for the Commons Request of making this a Sessions, and granting a General Pardon, it shall be their fault if it be not done: But the Commons required such Particulars in it, that he must be well advised, lest he give back double or treble of that he was to receive by their Subsidy; but thinks fit that of his free Grace he sends down a Pardon from the higher House containing such Points as he shall think fittest.

10. He thinks it strange the Commons should make so bad and unjust a Commentary upon some Words in his former Letter, as if he thereby meant to restrain the Commons of their antient Privileges and Liberties in Parliament, wherein he discharges them from meddling with Matters of Government and Mysteries of State, namely Matters of War and Peace, or his dearest Son's Match with Spain, or that they meddle with things which have their ordinary Course in the Courts of Justice: That a Scholar would be ashamed to mis-judge and misplace Sentences in another Man's Book, for in the coupling these Sentences they plainly leave out Mysteries of State, and so err, *a bene divisis ad mala conjuncta*: that for the former part concerning Mysteries of State, he plainly restrained his meaning to the Particulars which were after mentioned; and for the latter, he confesses he meant it by Sir Edward Coke's foolish Business,

Business, and therefore it had well become him, especially being his Servant, and one of his Council, to have complained to him, which he never did, tho he was ordinarily at Court, and never had Access refused him.

Sir Edward Coke's Business was a Conspiracy against him by my Lord Chancellor Bacon, one Lepton and Goldsmith, after he was discharged from being Chief Justice, to have exhibited an Information against him in the Star-Chamber, or have sent him into Ireland: The Business was debated in the House of Commons, but Sir Edward complained not, nor appeared to speak in it.

If the King were uneasy with the Commons Remonstrance, the Commons were not less with the King's Answer, and at the Resolution taken at Court, to adjourn the Parliament to the 8th of January next, which the Commons took to be a Violation of their Privileges, and an Omen of their Dissolution; whereupon they entred this Protestation.

THE Commons now Assembled in Parliament, being justly occasioned thereunto, concerning sundry Liberties, Franchises and Privileges of Parliament, among others here mentioned, do make this Protestation following, That the Liberties, Franchises, Privileges and Jurisdictions of Parliament, are the antient and undoubted Birth-right and Inheritance of the Subjects of England, and that the arduous and urgent Affairs concerning the King, State and Defence of the Realm, and of the Church of England, and the maintenance and making of Laws, and Redress of Grievances and Mischiefs which may happen within this Realm, are proper Subjects, and Matter of Counsel and Debate in Parliament; and that in the handling and proceeding of those Businesses, every Member of the House of Parliament hath, and of right ought to have freedom of Speech, to propound, treat, reason, and bring to Conclusion the same: And that the Commons in Parliament have like Liberty and Freedom to treat of these Matters in such order, as in their Judgment they shall think fittest: And that every Member in the said House, hath likewise freedom from all Impeachment, Imprisonments and Molestation (other than by Censure of the House it self) for, or concerning any speaking, reasoning or declaring any Matter or Matters touching the Parliament, or Parliament-business. And that if any of the said Members be complained of, and questioned for any thing done or said in Parliament, the same is to be shewed to the King, by the Advice and Consent of all the Commons assembled in Parliament, before the King give Credence to any private Information.

If the King was alarmed at the Commons Remonstrance, this Protestation of the Commons was such an Invasion upon his Sacred Prerogative Royal, that neglecting his Pleasures and Health,

which he took such care to preserve, by retiring into the Country; up he now comes to London, and upon the 30th of December, and in a full Assembly of Council, and in the Presence of the Judges, declares the said *Protestation* invalid, annull'd and void, and of none effect, &c. *Manu sua propria*, takes the said *Protestation* out of the Journal-Book of the Clerk of the Commons House of Parliament, and commanded an Act of Council to be made thereupon, and this Act to be entred in the Register of the Council-Causes.

And on the 6th of January the King by his Proclamation dissolved the Parliament, *Shewing that the meeting, continuing and dissolving of Parliaments does so peculiarly belong to him, that he needs not give any account thereof to any other; yet he thought fit to declare, that in the Dissolution of this Parliament he had the Advice and Uniform Consent of his whole Council; and that some particular Members of the Commons took inordinate Liberty, not only to treat of his High Prerogatives, and sundry things not fit to be argued in Parliament, but also to speak with less respect of Foreign Princes: That they spent their time in disputing Privileges, and descanting upon the Words and Syllables of his Letters and Messages; and that these evil-temper'd Spirits sowed Tares among the Corn, and by their Carriage have imposed upon him a necessity of discontinuing this present Parliament, without putting to it the Name or Period of a Session. And lastly, he declared, That tho the Parliament were broken off, yet he intended to govern well, and shall be glad to lay hold on the first occasion to call another.*

CHAP. IV.

A Continuation of this Reign to King James his Death.

THE first Act the King did to make good his Promise in his Proclamation to govern well, was, his Commitment of Sir Edward Coke and Sir Robert Philips to the Tower, and Mr. Selden, Mr. Pym and Mr. Mallery to other Prisons; and Sir Dudley Diggs, Sir Thomas Crew, Sir Nathaniel Rich, and Sir James Parrot into Ireland. Sir Thomas Overbury had a Cause assigned for his Commitment to the Tower, but yet it was observed an Hardship upon him, without any Precedent, that he should be confined a close Prisoner for a Contempt; whereas these were not only confined, but close Prisoners, (for ought I can find, I am well assured

Sir

Sir Edward Coke was) not only without any Cause shewed, but for performing a publick Trust reposed in them. Nor did the Commons only suffer under this Fury of the King for performing their Duty, but the Noble Earl of Southampton was imprisoned for his freedom of Speech, and for rebuking Buckingham for his disorderly speaking in the House of Lords, as you may see in the first Part of Keeper Williams's Life, fol. 62. tit. 8.

But of all others, this Storm fell most severely upon Sir Edward Coke, and by several ways his Ruin was contrived: First, By sealing up the Locks and Doors of his Chambers in London, and in the Temple. Secondly, By seizing his Papers, by virtue whereof they took away his several Securities for Money, as a learned Lawyer, Mr. Hawles, hath observed. Thirdly, It was debated in Council, when the King would have brought in the General Pardon, containing such Points as he should think fittest, by what ways they might exclude him from the benefit of it, either by preferring a Bill against him before the Publication of it, or by excepting him by Name. Fourthly, If the King's Name were used by Northampton and Somerset to confine Sir Thomas Overbury so close, that neither his Father nor Servants should come at him; so was the King's Name used here, that none of Sir Edward Coke's Children or Servants should come at him; and of this I am assured from one of Sir Edward's Sons and his Wife. Fifthly, In this Confinement, the King sued him in the King's-Bench for 30000 l. 2 s. 6 d. for an old Debt pretended to be due from Sir William Hatton to Queen Elizabeth; and this was prosecuted by Sir Henry Telverton, with all Severity imaginable: but herein the King's Counsel were not all of one piece, for when a Brief against Sir Edward was brought to Sir John Walter (I think) then Attorney-General, he returned it again with this Expression, *Let my Tongue cleave to the Roof of my Mouth whenever I open it against Sir Edward Coke*; however after the Trial, the Verdict was against the King.

Mr. Selden got his Liberty by the favour of my Lord Keeper Williams; but the rest must abide by it till the breaking of the Spanish Match necessitated the King to call another Parliament.

But lest the King's Word in his Proclamation for governing well should not pass current, and without dispute, the King ordered the Judges in their Circuits to give this in their Charges, That the King taking notice of the Peoples liberal speaking of Matters far above their reach, and also taking notice of their licentious undutiful Speeches touching State and Government, notwithstanding several Proclamations to the contrary, the King was resolved no longer to pass it without severest Punishment; and thereupon to do exemplary Justice where they find any such Offenders.

The

The King having in the ninth Year of his Reign borrowed 111046 l. upon *Privy-Seals*, which the Writer of the Historical Narration of the first 14 Years of King *James* his Reign, *Tir. Monies raised by him*, fol. 14. says, were unrepay'd: Now, since he could receive no more Money in Parliament, orders the Privy-Council to issue out an Order for raising Money out of Parliament, for the Defence of the *Palatinate*; and also sent Letters to the Justices of the Courts in *Westminster-Hall*, and Barons of the *Exchequer*, to move them, and perswade others to a liberal Contribution for the Recovery of the *Palatinate*, according to their Qualities and Abilities: Nevertheless, if any Person shall, out of Obstinacy or Disaffection, refuse to contribute thereto, proportionably to their Estates and Means, they are to certify their Names to the Council-Board.

Letters to the same effect were directed to the High-Sheriffs of Counties, and Justices of Peace, and to the Mayors and Bayliffs of every City and Corporation within the Kingdom, requiring them to summon all before them of known Abilities within their Jurisdictions, and to move them to a cheerful Contribution, according to their Means and Fortunes, in some good measure answerable to what others well affected have done before them: And to make choice of meet Collectors of the Monies, and to return a Schedule of the Names of such as shall contribute, and the Sums that are offered by them; that his Majesty may take notice of the good Inclinations of the Subjects to a Cause of such Importance; as likewise of such others, if any such be, as out of Obstinacy or Disaffection shall refuse to contribute. These were the Ways which this pacifick King took in and out of Parliament, which I believe (except in the Reign of *Edward the 4th*) were never practised by any of our *English Kings*; and all this under the specious Pretence of recovering his Son-in-law's Patrimony, prodigally to squander it among his Favourites, especially *Buckingham*, whose Avarice could not be supported otherwise by the Revenues of the Crown, and Venality of all Places Sacred and Civil.

These were the Noble Achievements, which this pacifick King obtained over his Parliament, which presumed to advise him for his own Honour and the Nation's Safety; this was the Return he made for inverting the Methods of Proceedings in Parliament to pleasure him, by granting Subsidies before Grievances were redrest: A Prince foreign born to our *English Laws and Constitutions*; A Prince, as the noble *Nani*, Anno 1619. fol. 137, 138. observes, in whom Decorum, and want of Power, were commonly Opposites; he being Scottish by Birth, and come to the Crown by Inheritance, was the first that governed the two Nations by Natural Antipathy, and antient Emulation of Enemies; and designing to reclaim the Fierceness of those People with Ease and Idleness, had set up his Rest in Peace; and avoiding,

avoiding, as much as possible, the calling of Parliaments, without which not having the Power to impose Contributions, nor levy Money, he contented himself rather to struggle with many Straits and Difficulties, than to see them meet with a Jealousy of them; or being met, be obliged to separate them with the disgust of the People, or with the satisfaction of Prejudice to the Superior in Power. A Prince so poor before he came to the Crown of England, that if he had not been supported by the Pension which Queen Elizabeth allowed him, could not have maintained the Garb of many of our English Gentry; and being come to the Crown of England, not only the Sacred Patrimony of it was squandered and embarrassed upon debauched and profane Favourites, but the People otherwise oppressed with almost infinite Monopolies and Projects, which the Nation never before heard of; and as they were new, so were they all illegal; and all these to make his Favourites rich, while he continued the poorest King that ever governed England: Justled in his Throne by the Presbytery in Scotland, yet nothing less than Sacred would down with him from the Clergy in England, tho his dissolute Life and profane Conversation were diametrically contrary.

These, by a twenty Years Habit, were so fixed in the King, a Prince of all others the most regardless of his Honour and Word, that they became natural: So that after the Parliament had given him two Subsidies, and intended another for carrying on the War for the recovery of the Palatinate; and after he had by such means, as before said, by such Terror raised Benevolences all England over upon pretence of it; yet by the Advice of Buckingham and Gundamor, he placed the Anchor of his Hope to do it by the Match of his Son with the Infanta of Spain, when an unlooked-for Accident, reported by Nani, in his 5th Book, fol. 186. had like to have spoiled all.

For the King of Bohemia, weary of being amused, and deluded with the Hopes of his Father-in-law's Treaties, which he now saw were mocked by the Spaniards themselves, in a Disguise, with two Persons only, from Holland passes into France by Sea, and from thence through Lorrain, and through the midst of his Enemies Troops, arrives at Landau, where Count Mansfield (who then made War in the Palatinate in his Right) had a Garison, where he discovered himself, and from thence went to Germersheim, where he was received with the general Applause of the whole Army.

This Escape of the King's Son-in-law confounded all the King's Measures which he had taken for him, by the Marriage of the Infanta with his Son, so that he was more alarm'd at it, than at the Commons Remonstrance and Protestation, tho he bore the Affliction with a much better Temper: So all Wits were set at work how to get the Elector out of the Hands of Mansfield back again into
Holland;

Holland; for now the Proceedings at *Brussels* upon the Peace, were put to a full stop, the *Spaniards* alledging they could not proceed in the Treaty so long as the King's Son-in-law was in the Hands of *Mansfield*, their most inveterate and bitter Enemy.

It fell out luckily for the King's Designs, tho unluckily for his Son-in-law's, that *Mansfield* being worsted by the *Spanish* Arms in the *Palatinate*, and the Elector *Palatine* fearing that *Mansfield* in the Adversity of his Affairs would make him a Sacrifice, in giving him up to the *Spaniard*, to make his own Terms the better, was the more easily enveagled by the King's Agents to return again into *Holland*, where the first News he heard was, that *Tilly* had taken *Heidelberg* (the Capital Seat of his Ancestors) by Storm, and *Frankendal* (his next City) reduced to Extremity by *Cordua*; so that, as *Nani* says, fol. 188. King *James*, who had published that his Son-in-law held that Country under his Protection, was laugh'd at by all the World, and forced to consent to a Truce for fifteen Months, during which *Frankendal*, and the rest of the lower *Palatinate*, should be deposited into the *Spaniards* Hands, to restore them to the King (*James*) if within that time there were not a Peace concluded.

King *James* having thus deposited his Son-in-law's Patrimony in the Hands of the *Spaniards* in the *Low Countries*; now by the Direction of *Buckingham* (not only the Dictator over the Kingdoms of *England*, *Scotland* and *Ireland*, but over the King himself, and 'twas feared more over the Prince) upon pretence that the Earl of *Bristol* was too remiss in prosecuting the Prince's Suit at *Madrid*, resolves to deposite the Prince in the Power of the Court of *Spain*, there to remain as an Hostage till he can procure the *Infanta* to be his Spouse.

This was such an Adventure, as *Don Quixot* never dream'd of in any of his; that because the King, the Prince his Father, was poor at home, and despised abroad, therefore by making his only Son an Hostage in another King's Court, where the Maxims both of Religion and State were directly contrary, he should think to persuade the King of *Spain* to overturn all, and also get such a Portion as was fourfold more than any Prince before had, to enrich himself, and to make War against the King of *Spain*, or Emperor, which the *Spaniard* esteemed all as one; and also that the King of *Spain* should restore the *Palatinate*, because the King knew not which way else to do it: Yet this Adventure must be run, because *Buckingham* would have it so; so pur-blind, nay, stark-blind, does Poverty and Covetousness make Man's Understanding and Reason.

But that we may take all before us, let's see in what Esteem King *James* was with the *Spaniards*, which might encourage him to pursue this Adventure. In their Comedies in *Flanders*, they imitated

tated Messengers bringing News in haste, that the Palatinate was likely to have a numerous Army shortly on foot: For the King of Denmark would shortly furnish them with a thousand Pickled-Herrings, the Hollanders with one hundred thousand Butter-Boxes, and England with one hundred thousand Ambassadors: They pictured King James in one place, with a Scabbard without a Sword; in another, with a Sword which no body could draw out, tho divers Persons stood pulling at it: In Brussels they painted him with his Pockets hanging out, and not one Penny in them, and his Purse turned upside down: In Antwerp they pictured the Queen of Bohemia like a poor Irish Mantler, with her Hair hanging about her Ears, with her Child at her Back, and the King (James) carrying the Cradle after her; and every one of the Pictures had several Motto's expressing their Malice. Such Scorns and Contempts were put upon the King (James) and in him the whole Nation. See the Preface to the History of the first 14 Years of the Reign of King James, and Wilson, fol. 192.

But tho Buckingham pursued this Match with such Eagerness, yet when it came to his Management in Spain, where the King's Proclamations forbidding Men to talk of State-Affairs had no effect, he proceeded wrong in every step of it; and to gratify his Ambition and Personal Disgusts, was the first and principal Instrument to break it off: but that we may not insist upon Generals;

1. The Prince's coming to Spain, and thereby putting himself into the King of Spain's Power, brake all the Earl of Bristol's Measures, whereupon the Negotiation, and all the Particulars of the Marriage was settled, and the Negotiation was put into a new Form. See *Rushw. Collect.* fol. 286.

Objection. This was but a Charge by the Earl of Bristol against the Duke, who prosecuted the Earl of High Misdemeanors, and therefore no Proof against the Duke.

Answer. Yet the Honour of so great a Statesman, and faithful a Counsellor as the Earl was, who had so honourably served the King in seven foreign Embassies, and had by the Expence of 10000 *l.* saved *Heidelberg* from falling into the Hands of the Spaniard; and having upon the Dissolution of the last Parliament given the King 500 *l.* upon the Enevolence, and never received a Check from the King in all his Negotiations, but always honourable Testimonies from him for his faithful Services, before Buckingham broke in upon him, may go a great way.

But it seems to me to be a clear Proof upon Buckingham, for Bristol twice answered Articles preferred against him, without any Reply; whereas rather than Buckingham should answer Bristol's Charge, King (Charles) dissolved his second Parliament.

2. Bucking-

2. *Buckingham* had not learned the Verse which is taught to every School-boy, *Quoniam fueris Romæ, Romano vivito more*; for being *French* bred, he appeared in a *French* Garb (most hateful to the *Spaniards*) and by his Familiarity with the Prince, he seemed rather the Prince's Guardian and Companion, than Follower, which disrelished the Court of *Spain*, and the *Spaniards* in general, who are grave, sober and wary.

3. He by contrary Methods opposed all the Earl of *Bristol's* Methods, nay, fell at odds with him, tho, without Comparison, he was the ablest Statesman in all King *James* his Councils.

4. Whereas all other Ambassadors and Statesmen, in all great Affairs, make their Court to the King's Council, and prime Ministers of State, to attain their Ends, *Buckingham* fell at open Defiance with *Olivares* (prime Minister of State in *Spain*) and 'twas generally said, made his Court to the Countess, which she acquainted her Husband with, and instead of the Countess, put a tainted Whore to Bed with him.

5. The Earl of *Bristol* in the 9th Article of his Charge against him, shews what a Scandal *Buckingham* gave by his Personal Behaviour in *Spain*; and also employing his Power with the King of *Spain* for procuring Favours and Offices, which he bestowed upon base and unworthy Persons, for the Recompence and Hire of his Lust. These things as fit neither for the Earl of *Bristol* to speak, nor the Lords to hear, he left to their Lordships Wisdom, how far they please to have them examined: It having been a great Infamy to this Nation, that a Person of the Duke's great Quality and Employments, a Privy-Counsellor, and Ambassador, eminent in his Majesty's Favour, and solely in Trust with the Prince, should leave behind him in a Foreign Court so much Scandal as he did by his ill Behaviour.

6. The Earl of *Bristol's* sixth Article against *Buckingham* is, That his Behaviour in *Spain* was such, that he thereby so incensed the King of *Spain* and his Ministers, that they would admit of no Reconciliation, nor farther Dealings with him: Whereupon he seeing the said Match would be to his Prejudice, he endeavoured to break it, not for any Service to the Kingdom, nor of the Match it self, nor for that he had found (as since he pretended) the *Spaniards* did not really intend the said Match, but out of his particular Ends and Indignation: And the 7th Article says,

7. That after he intended to cross the said Match, he put in practice divers undue Courses, as making use of the Prince's Letters to his own Ends, and not as they were intended; as likewise of concealing things of high Importance to the King (*James*) and thereby to overthrow the King's Purposes, and advance his own Ends.

Nor had my Lord Keeper *Williams* any better luck in this Adventure of *Buckingham's* than the Earl of *Bristol* or *Olivares*; for tho the Prince's going into *Spain* was concealed from the Keeper as well as Council, yet after the Duke was gone, the Keeper's Letters followed him to *Madrid*, wherein the Keeper advised him to be circumspect in all his Actions, that no Offence might be taken at any of them by the King and Ministers of *Spain*; and to be advised by the Earl of *Bristol*, not only as a most able Statesman, but above all others, the most experienced in the Manners of the *Spaniards* and Court of *Spain*: but this *Buckingham* took as ill Manners in the Keeper, and was an occasion of his quarrelling with him, as you may read in the Life of the Lord Keeper, written by the Bishop of *Litchfield* and *Coventry*.

But neither the danger of the Prince in *Spain*, nor the cross-grain'd going of the Match any way abated the King's Favour to his beloved Scholar and Disciple *Buckingham*; but he sent after him the Patent of being created a Duke, there being not another of *England*: So that now he is become Duke, Marquess and Earl of *Buckingham*, Earl of *Coventry*, Viscount *Villiers*, Baron of *Whaddon*, Great Admiral of the Kingdoms of *England* and *Ireland*, and the Principality of *Wales*, and of the Dominions and Islands of the same, of the Town of *Calais*, and of the Marches of the same, and of *Normandy*, *Gascoign* and *Guienne*, General Governor of the Seas and Ships of the Kingdom, Master of the Horse to the King, Lord Warden, Chancellor and Admiral of the Cinque Ports, and of the Members of the same; Constable of *Dover-Castle*, Justice in Eyre of all the Forests and Chases on this side of *Trent*, Constable of the Castle of *Windfor*, Gentleman of his Majesty's Bed-Chamber, one of his Majesty's most Honourable Privy-Council in his Realms of *England*, *Scotland* and *Ireland*, and Knight of the most Honourable Order of the Garter.

But tho all others worshipped this prodigious Favourite; yet Arch-bishop *Abbot* (a Prelate of Primitive Sanctity and Integrity) would not flatter neither the King nor his Favourite in their Courses, so dangerous to the Church and State, and dishonourable to the King; and, tho in Disgrace, he wrote this following Letter to the King, which you may read in *Rushworth*, fol. 85.

May it please your Majesty;

" I Have been too long silent, and am afraid by my Silence I
 " have neglected the Duty of the Place it has pleased God to
 " call me unto, and your Majesty to place me in: But now I hum-
 " bly crave leave I may discharge my Conscience towards God,
 " and my Duty to your Majesty; and therefore freely to give
 " me leave to deliver my self, and then let your Majesty do what
 " you

" you please. Your Majesty hath propounded a Toleration of
 " Religion; I beseech you to take into your Consideration, what
 " that Act is, what the Consequence may be: By your Act you
 " labour to set up the most Damnable and Heretical Doctrine of the
 " Church of *Rome*, the Whore of *Babylon*: How hateful will it be to
 " God, and grievous to your Subjects, the Professors of the Gos-
 " pel, that your Majesty, who hath so often and learnedly disap-
 " puted and written against those Heresies; should now shew your
 " self a Patron of those wicked Doctrines, which your Pen hath
 " to the World, and your Conscience tells your self are super-
 " stitious, idolatrous and detestable? and hereto I add what you
 " have done by sending the Prince into *Spain*, without the Con-
 " sent of your Council, the Privy or Approbation of your Peo-
 " ple; and altho you have a Charge and Interest in the Prince
 " as the Son of your Flesh, yet the People have a greater, as
 " Son of the Kingdom, upon whom, next after your Majesty,
 " are their Eyes fixed, and their Welfare depends; and so tender-
 " ly is his going apprehended (as I believe) however his Return
 " may be safe; yet the Drawers of him into this Action, so dan-
 " gerous to himself, so desperate to the Kingdom, will not pass
 " away unquestion'd and unpunished. Besides, the Toleration
 " which you endeavour to set up by your Proclamation, cannot
 " be without a Parliament, unless your Majesty will let your Sub-
 " jects see that you will take to your self the Ability to throw
 " down the Laws of the Land at your Pleasure. What dread
 " Consequence these things may draw afterwards, I beseech your
 " Majesty to consider, and above all, lest by this Toleration and
 " discountenancing the true Profession of the Gospel, wherewith
 " God hath blest us, and this Kingdom hath so long flourished
 " under it, your Majesty doth not draw upon this Kingdom in
 " general, and your self in particular, God's Wrath and Indig-
 " nation:

I have heard my Father say, that King *James* kept a Fool called
Archy (if he were not more Knave) whom the Courtiers, when the
 King was at any time thoughtful or serious, would bring in with
 his antick Gestures and Sayings, to put him out of it. In one of
 these Modes of the King, in comes *Archy*, and tells the King he
 must change Caps with him; Why? says the King: Why who, re-
 plies *Archy*, sent the Prince into *Spain*? But what, said the King,
 wilt thou say, if the Prince comes back again? Why then, said
Archy, I will take my Cap from thy Head, and send it to the King
 of *Spain*: which was said troubled the King fore.

But if we look back into *Spain*, we shall see things of another
 Complection than when *Buckingham* came into it: For now he is
 disgusted, he puts the Prince quite out of the Match, as that tho

all things were agreed upon the coming of the Dispensation from Rome, so as King James said all the Devils in Hell could not break the Match (yet his Disciple and Scholar could) tho the Duke had certified the King the Match was brought to a happy Conclusion, and the Match publickly declar'd in Spain, and the Prince permitted Access to the Infanta in the Presence of the King, and the Infanta was generally stiled the Princess of England; and in England a Chappel was building for her at St. James's, and the King had prepared a Fleet to fetch her into England, which only proved to bring back his Son.

How things (especially actuated by Love) should stay here, may seem strange; yet such an Ascendant had Buckingham over the Prince, that the Affront put upon him (Buckingham) must quite deface the Prince's vowed Love and Affection to the Infanta; but how to prevail with King James to comply, might have an appearance of some Difficulty, since the King had set his Rest upon it, and had quarrelled with the Parliament, and dissolv'd them in great Anger and Fury for but mentioning it.

After the Duke had gained the Prince to break, or at least not to observe the Conditions of the Treaty of the Marriage with the Infanta, so solemnly sworn to by both the Kings and the Prince; let's now see how he behaved himself to King James afterwards: but this will be better understood if we look back, and see how things stood before the Prince's and Duke's Arrival in Spain.

The Prince's going into Spain, was not only kept secret from King James's Council, but from my Lord Keeper Williams, tho the King confided in his Abilities above all the other of his Council: but when it had taken vent, the King asked the Keeper what he thought, Whether the Knight Errant's Pilgrimage (meaning the Prince's) would prove lucky to win the Spanish Lady, and to convey her shortly into England? Sir, answered my Lord Keeper, If my Lord Marquess will give Honour to Conde Duke Olivares, and remember he is the Favourite of Spain; or if Olivares will shew honourable Civility to my Lord Marquess, remembring he is a Favourite of England, the Wooing may be prosperous: but if my Lord Marquess should forget where he is, and not stoop to Olivares; or if Olivares, forgetting what Guest he hath received with the Prince, bear himself haughtily, and like a Castilian to my Lord Marquess, the Provocation may be dangerous to cross your Majesty's good Intentions; and I pray God, that either one or both do not run into that Error.

The Answer of the Keeper took such Impression upon the King, that he asked the Keeper, if he had wrote to his Son and the Marquess clearly, and upon what Guard he should stand. Yes, said the Keeper, and to that purpose I have dispatched some Pacquets: Then continue, says the King, to help me and them in those Difficulties with your best Powers and Abilities, and serve me faith-

fully in this Motion, which, like the highest Orb, carries all my Rac-
cals's, my Counsels at present, and Prospects upon the future with it,
and I will never part with you. Which you may read in the first
part of the Keeper's Life, fol. 115. tit. 127.

The Keeper hereupon continues to prosecute this Advice to the
Marquess (after Duke) but hereby lost the Duke's Favour, who
ever after sought all means to ruin the Keeper, which tho he could
not effect in King *James* his Reign, he did it in the first Year of
his Son's.

But when the King understood, that the Contraventions of the
Duke with *Olivares* and *Bristol* was like to make a Rupture in the
Treaty, he then began seriously to consider with himself the sickle
State he stood in both at home and abroad; if the Marriage suc-
ceeded not; all the two Subsidies he had granted him by the Par-
liament, and the Benevolence he had raised after upon his Sub-
jects by his own Authority, was expended, and a great Debt con-
tracted besides; he also, besides the Benevolence, stood upon ill
Terms with his Subjects, for petitioning him against the *Spanish*
Match, and asserting their Privileges, by imprisoning them after he
had dissolved the Parliament, the like whereof was never before
done by any of his Predecessors: and now *Buckingham* had so vio-
lently caused a Rupture of the Match, wherein he placed his sole
Felicity, he had not Courage so much as to frown upon him, who
could contribute no Relief, whereas he dissolved the Parliament, and
imprisoned the Members upon their Advice against the Match, who
could have relieved him in his Necessities; besides, he now saw that
Buckingham, by his Audacity, more worshipped the Sun in its Rise
than in its Declination: Now did he not know to whom he should
complain, nor was there any about him but the Keeper who durst
give him any Advice.

In case a Rupture happened, the King after all this wild Ex-
pence of Foreign Embassies, and the Charge of his Son's Voyage
to *Spain*, would be despised by all Foreign Princes and States, in
case he did not endeavour to recover his Son-in-law's Patrimony,
which would, in all appearance, bring on a War between him and
the Emperor, and King of *Spain*, who kept nothing from him,
and therefore had no cause to make War upon either.

Besides, in case the King made War for the Recovery of the
Palatinate, he could not hope to do it upon his own single ac-
count, but in Conjunction with Foreign Confederates, and above
all with the States of the *United Netherlands* (who now had re-
newed the War against the King of *Spain*, the Truce made be-
tween them and the King of *Spain* in 1609, being expired.)
But how unjust would this be, for the King to make War upon
the Emperor, and King of *Spain*, who kept nothing from him,
and, in wish the *Dutch* herein, who, against the Treaty made
between

between the King and them but three Years before, viz. in 1619, kept from the King and his Subjects the Isles of *Amboyna, Seran, Nero, Waire, Rosingen, Latro, Cambello, Mitto, Larica, Lantare, Polaway* and *Machasser* in the *East-Idies*, and *Cabo de Bon Esperanza* in *Africk*. But the Impolicy of such an Alliance would be as great as the Injustice of it, for hereby the *English* must lose the benefit of the *Spanish* Trade, which above all others enriched the Nation, and the King his Customs, which above any other did arise from it.

These Considerations fixed in the King's Mind, fearful of any War, so cleft his Heart, *That*, as the Bishop of *Litchfield* observes, he effected neither, yet he submitted himself to be ruled by some, whom he should have awed by his Authority, but wanted Courage to bow them to his Bent. A Prince that preserves not the Rights of his Dignity, and the Majesty of his Throne, is a Servant to some, but a Friend to none, and least to himself; as you may see in his Book, fol. 167. tit. 173.

In these Perplexities the King saw no visible Means under Heaven to relieve him, but by closing with his next Parliament; and it was observed, that some Impressions were gotten into the King's Mind, that he was so resolved to be a Lover of Parliaments, that he would close with the next that was called; nor was there any likelihood that any Man's Incolumity, tho it were his Grace himself, should cause an unkind Breach between him and his People.

This Resolution of the King's was not concealed from a Cabinet, or Cabal of the Duke's which met at *Wallingford-House*, who hereupon set up to consider what Exploit the Duke should commence to be the Darling of the Commons, and as it were to republishate his Lordship, and to be precious to those who had the Vogue to be the chief Lovers of their Country; and resolve that all Attempts would be in vain, unless the Treaty of the *Spanish* Match were quash'd, and that the Breach thereof should fall upon the Duke's Industry; so that what the Duke did before in spite to *Olivares* and *Bristol*, he now pursues for his own Safety, tho the King had little reason to thank him for it. See the first Part of the Keeper's Life, fol. 137. tit. 147. And this took such Impression in the Duke, that the Bishop heard the Duke afterward in the Banqueting-House, before the King and both Houses of Parliament, ascribe to himself the sole Glory of breaking the *Spanish* Match; and you will soon see how the Prince and Duke after their return from *Spain* over-awed the King, and made his Authority bow to their Bent: for notwithstanding *Buckingham* blasted all the *Raccalta's* of his Counsels, and the Prospect of his future Happiness placed in the *Spanish* Match, yet he shall become the Duke's Advocate herein, and note his Fidelity, Constancy and

Conduct in breaking it off; and from his Disciple become his Master, and teach him, that *Dolosus versatur in Generalibus*, and also keep back the Earl of Bristol from coming to the Parliament, that he might not spoil the fine Tale the Duke had told; yet at other times the King would say, *If he had sent Williams into Spain with his Son, he had kept Heart-ease and Honour both, which he lacked.* See the first part of the Bishop of Litchfield, fol. 168. tit. 174.

The Duke thus doubly engaged, resolved to break the Spanish Match; and to dispose the King (*James*) to it, the Prince writes to him, *That he must look upon his Sister (the Queen of Bohemia) and her Children, never thinking more of him, and forgetting he ever had such a Son.* Though it be evident the generous Spaniards were far enough from entertaining such a thought, however Buckingham's Behaviour might have prompted them to it, that by the Authority of Litchfield and Rushworth, they entertained him with all imaginable Esteem, as a truly noble, discreet and well-deserving Prince; however the Prince himself had given them Cause sufficient to have detained him, if the Prudence of Bristol had not been greater than Buckingham's Rashness and Zeal to break off the Match, solemnly sworn to by the Prince and Buckingham himself, and this upon the Day when the Prince parted from the King of Spain from the Escorial, as you may see in the Bishop of Litchfield's Life of Dr. Williams, and Rushworth, fol. 284, 285.

For though the King of Spain and the Prince had solemnly sworn to accomplish the Marriage, and to make the Espousals within ten Days after the Ratifications should come from Rome, to which purpose the Prince made a Procuracy to the King of Spain, and Don Charles his Brother, to make the Espousals in his Name, and left it in the Earl of Bristol's hands; yet he (the Prince) left in the Hands of one of the Duke's Creatures, Mr. Edward Clarke, a private Instrument, with Instructions to the Earl of Bristol, to stay the Delivery of the Proxies till farther Direction from him. But when this private Instrument was delivered to Bristol, he told Buckingham's Favourite that it must for a time be concealed, lest the Spaniard coming to the knowledge of it, should give Order to stay the Prince. So that the Duke left the Earl's Instrument as perplexed and confounded when he went out of Spain, as he had made the Treaty of Marriage when he came into it.

The Temper and Dissimulation of the Duke is so strange at his taking leave of Olivares, as is I believe without all Example, and also without any Care of the Safety of the Prince; for the Duke told him, after he had delivered the Instrument to stay the Delivery of the Proxy, That he was obliged to the King and Queen and Infanta in an eternal Tie of Gratitude, and that he would be an ever-

everlasting Servant to them, and endeavour to do the best Offices for concluding the Match, and strengthening the Amity between the two Crowns; but as for himself (*Olivares*) he had so disoblged him, that he could not without Flattery, make the least Profession of Friendship to him.

Nor was the Ingratitude and Dissimulation of the Prince less than that of *Buckingham*: for when the King of *Spain* had brought the Prince to the *Escorial*, where the Prince and Duke (after the delivery of the Instrument for staying the Proxy) solemnly swore the Treaty of Marriage, as you may read in *Rushworth*, fol. 284. and the King and Prince had sworn a perpetual League of Friendship, as the Bishop of *Litchfield* says; the King at their Departure declared the Obligation which the Prince had put upon him (the King) by putting himself into his Hands, a thing unusual with Princes, and protested he earnestly desired a nearer Conjunction of Brotherly Affection, for the more intire Unity between them. The Prince answered him, magnifying the high Favour which he had found during his Stay in his Court and Presence, which had begotten such an Estimation of his Worth, that he knew not how to value it, but would leave a *Mediatrice* to supply his own Defects, if he (the King) would make him so happy, as to continue him (the Prince) in the good Opinion of her his Dear Mistress. Yet the Prince so soon as he came on Ship-board, was observed to say, *That it was a great Weakness and Folly in the Spaniards, after they had used him so ill, to grant him a free Departure; and soon you'll see both the Prince and the Duke urge the King (James) to break off the Match so solemnly sworn by them all, and make War upon the Spaniards, which was so dangerous to the Parliament to mention.*

Having thus taken a View of the Duke's Prudence and deep Insight in Mysteries of State in managing this Match, where King *James's* Proclamation could not restrain Men from talking of State-Affairs: We will now take a View of the Duke's Profession in Religion, that another may better judge, whether he were more eminent in Religion or State-policy; and herein I will take the Earl of *Bristol's* Charge upon him to be a full Proof, since the Earl answered the Duke's Charges against him twice, first before King *James*, and afterward in Parliament in the 2d of King *Charles*, without any reply; and King *Charles* his dissolving the Parliament, rather than the Duke should come to a Tryal upon the Articles which the Earl exhibited against him.

1. The Earl, in the said Articles, charges the Duke, that he did secretly combine with the Conde of *Gundamor* Ambassador from the King of *Spain*, Anno 1622, to carry the Prince into *Spain*, to the end he might be informed in the *Roman* Religion, and thereby

have perverted the Prince, and subverted the true Religion established in *England*.

2. That Mr. *Porter* was made acquainted therewith, and sent into *Spain*, and such Messages at his Return framed, as might serve for a Ground to set on foot this Conspiracy; the which was done accordingly, and thereby the King and Prince highly abused, and their Consents thereby gotten for the said Journey, viz. after the Return of the said Mr. *Porter*, which was about the latter end of *December* or beginning of *January*, 1622. whereas the Duke plotted it many Months before.

3. That the Duke at his Arrival in *Spain*, nourished the *Spanish* Ministers, not only in the Belief of his being popishly affected, but did (both by absenting himself from all Exercises of Religion constantly used in the Earl of *Bristol's* House, and frequented by all other Protestant *English*, and by conforming himself to please the *Spaniards* in divers Rites of their Religion, even so far as to kneel and adore the Sacrament) from time to time give the *Spaniards* Hopes of the Prince's Conversion, the which he endeavoured to procure by all means possible; and thereby caused the *Spanish* Minister to propound far worse Conditions for Religion than had been propounded by the Earl and Sir *Walter Ashton*, settled and signed under the K. and Prince's Hand, with a clause of the K. of *Spain's* Answer, Dec. 12. 1622, that they held the Articles agreed on sufficient, and such as ought to induce the Pope to grant the Dispensation.

4. That the Duke having several times moved and pressed the King (*James*) at the Instance of the Conde of *Gundamor*, in the presence of the Earl of *Bristol*, to write a Letter to the Pope, and to that purpose having once brought a Letter ready drawn wherewith the Earl of *Bristol* by his Majesty being made acquainted, did so strongly oppose the writing any such Letter, that during the Abode of the said Earl in *England*, the Duke could never obtain it; but not long after the Earl was gone, he (the Duke) procured such a Letter to be written from the King (*James*) to the Pope, and to have him stiled *Sanctissime Pater*.

5. That the Pope being informed of the Duke's Inclination and Intention in point of Religion, sent unto him a particular Bull in Parchment, for to perswade and encourage him in the Perversion of the Prince.

But how steady soever the Duke was in his *French* Garb in *Spain*, and of Compliance with the *Spaniard* in the Popish Religion; yet he was not so when he returned into *England*, for then he turns quite contrary, and assumes a popular Way, and joins with the Prince, and thereby over-ruled the King as they pleased, and closed with the Nobility, and *Puritan* Party, opposite to *Spain*: As you may read in *Rushworth*, fol. 107.

Nor was the Duke's Covetousness, and sacrilegious Desires of robbing

robbing the Church's Patrimony, less than his Hypocrisy in Religion; for whilst he was in this Godly Fit, he treats with Dr. *John Preston* (Head of the Puritan Party) how the King might seize the Dean and Chapter Lands, as you may read in the Bishop of *Litchfield's* Life of Doctor *Williams*, 1st Part, fol. 202.

After the Return of the Prince and Duke into *England*, and *Bristol* left in *Spain*, both contrive how to ruin the Earl of *Bristol*, bound up with contrary Instructions; and to dissolve the Prince's Match with the *Infanta*, so solemnly sworn by both Kings, and the Prince; and could find no other Pretence to do it, but by the King's Letter to the Earl of *Bristol*, before he delivered the Powers for consummating the Marriage, to procure from the King of *Spain*, either by publick Act or under his Hand and Seal, a direct Engagement for the Restitution of the *Palatinate* and Electoral Dignity, by Mediation or Assistance of Arms; but in regard this must be now insisted upon, let's see how this stood during the Treaty.

In all the Treaty for this Match, the Restitution of the *Palatinate* was laid aside, as *Rushworth* observes fol. 91. and my Lord of *Bristol* in his Defence against the Duke's or King's Charge, fol. 302. says, that his Instructions from King *James* the 14th of *March* 1621, were express, that he should not make the Business of the *Palatinate* a Condition of the Marriage; and that of the King's of the 30th of *December* 1623 (I think it was 1622) were fully to the same Effect: But now the whole Treaty which was so solemnly agreed upon and sworn to by both Kings and the Prince, and that the Marriage should be consummate within 10 days after the Dispensation came from *Rome*, which it did about the beginning of *December* 1623, must be all dashed without the Restitution of the *Palatinate* to his Country and Electoral Dignity, which being perplexed with such Variety of Interests, as the Duke of *Bavaria's* having possessed himself of the upper *Palatinate*; and the Restitution of the *Palgrave*, being an Act of the Emperor and Empire, was not in the King of *Spain's* Power: Nay the *Proxies* left with the Earl, would not admit of a Treaty in this Case, for the Marriage was to be consummate within ten Days after the Arrival of the Dispensation from *Rome*.

The Earl of *Bristol* for not obtaining these new, impossible and inconsistent Conditions, is recalled from his Embassy, and a new Treaty of Marriage between the Prince and the Princess *Henrietta Maria*, youngest Daughter of *Henry* the Fourth of *France*, is as suddenly set on Foot, as that of *Spain* abruptly broke off; and that by this time the King of *Spain* and the Earl had frequent Advice of the Prince and Duke's Designs to ruin the Earl. The King of *Spain* therefore made a threefold Proffer to the Earl, either to write to the King (*James*) and if need were to send a particular Ambassador, to mediate for him, to satisfy the Earl's Fidelity and

Exactness in all the Treaty ; or to make him a Blank wherein the Earl should set down his own Conditions both in Title and Honour in *Spain* : whereunto the Earl answered, He was sorry and afflicted to hear such Language, and desir'd they should understand, that neither the King, nor *Spain*, were beholden to him : For whatever he had done, he thought fit to do for his Master's Service, and his own Honour, having no Relation to *Spain* ; and that he served a Master, from whom he was assured both of Justice and due Reward ; nothing doubting but his own Innocence would prevail against the Wrong intended by his powerful Adversaries ; and were he sure to run into eminent Danger, he had rather go home and cast himself at his Majesty's Feet and Mercy, and therein comply with the Duty and Honour of a faithful Subject, though it should cost him his Head, than be Duke, or *Infantado* of *Spain* ; and that with this Resolution, he would employ the utmost of his Power to maintain the Amity of the two Crowns, and to serve his Catholick Majesty : and thirdly, the King of *Spain* desired him in private to take 10000 Crowns to bear his Charges ; but the Earl answered one would know it, *viz.* the Earl of *Bristol*, who would reveal it to his Majesty (King *James*.) Now if any Man can shew in any Authority antient or modern, wherein a Treaty of this Nature was thus begun, thus managed, and thus broken off ; wherein a Noble Lady of highest Birth and noblest Fortune, adorned with all the Excellencies of Beauty in her Person, and the more excelling Virtues of her Mind, in all the Perfections requisite in her Sex, was thus baulkt, and see her self made a Stale, to advance the Avarice and covetous Desires of others, he shall be my great *Apollo*. So we'll leave this Affair here, and see what Comfort King *James* had of his Affairs elsewhere.

In the Year 1619, King *James*, and the *Dutch* States, entred into, and concluded a Treaty of Trade between the *English* and *Dutch* in the *East-Indies* ; at this time, and for many Years before, the *English* had at *Amboyna* (one of the *Scynda*, or *Setibe* Islands lying near *Seran*, which had several smaller Islands depending upon it) five severall Factories, two at *Hitto* and *Lerico*, and two at *Lairo* and *Cambello*, in the Island of *Seran*, but the principal of them was at *Amboyna* : *Amboyna* was, and is the principal Place in all the *East-Indies*, where Nutmegs, Mace, Cinamon, Cloves and Spice grow ; and from these Factories the *English* supplied, not only *England* and *Europe* with Spice, but *Persia*, *Japan*, and other Countries in the *East-Indies*.

The Treaty of Commerce between the King and the *Dutch* States, was scarce three Years old, when the *Dutch*, in the *East-Indies*, contrive how they may dispossess the *English* of the Spice-Trade, which above all others, is the best in the *East-Indies*, at least which was then, or now is known. *It seems, says my Au-*
thor

thor *William de Britain*, in his *Treatise of the Dutch Usurpation*, fol. 14. that the English in all these Islands were better beloved than the Dutch, and had built a Fortress in Amboyna for the Safety of Trade, which, the Dutch having two Hundred Soldiers there, forced from the English; and thereupon feigning a Plot between the English and Japonesses, (I think he means the Natives of Amboyna) to betray the Fortress again to the English, the Dutch with Fire and Water in an horrible manner, massacred many English, and seized upon the English Factories there to the Value of four hundred thousand Pounds, and made the rest of the English Slaves, and sent them into other Islands, which the Dutch had possessed themselves of: This was in the Year 1622.

Nor did the Dutch stay here, but seized upon the English Factories in *Seran*, *Nero*, *Waire*, *Rosingen*, *Latro*, *Cambello*, *Hitto*, *Larica*, *Lantare* and *Poloroone*, possessing themselves of their Goods and Factories there, and took 1800 English, which they sent into other Islands and Plantations, which they had forced from the Indians.

Let's see now how highly King James resented these things; he only sent to the Dutch Ambassador, and told him, *He never heard, nor read a more cruel and impious Act than that of Amboyna: But I do forgive them, and I hope God will, but my Son's Son shall revenge this Blood, and punish this horrid Massacre*; nor never further vindicated his own Honour, or his Subjects Blood, and loss of their Goods and Trade herein. Whereas about a Year before, when he heard of the Commons horrid Invasion upon his Prerogative, by asserting their Rights and Privileges; in a Fury he dissolves the Parliament, and sick as he was, (or seemed to be) to the indangering of his Health, he came in a hurry from *Theobalds*, called his Council and Judges about him, and *propria Manu* cut the Commons Protestation out of their Journal-Book, and committed many of their Members close Prisoners without Bail or Main-prize, and banished others.

That we may take a better View of the latter end of this Reign, and the following one of King Charles, it will be convenient to look into *Holland*; and herein observe, That *Barnevelt* and the Dutch States, after they had retrieved their Cautionary Towns from King James, *Barnevelt*, assisted by *Hugo Grotius*, nourished a Faction in *Holland*, called the *Arminian*, from *Arminius*, who maintained 5 Heads, contrary to what *Calvin* had taught in his Institutions, which was the Doctrine of the Church set up in *Holland*, and the other *United Provinces*. By this Faction thus countenanced by *Barnevelt* and *Grotius*, they endeavoured to have deposed *Maurice*, Prince of *Orange*, State-holder, tho he, and his Father and Uncles were the principal Instruments, whereby the Dutch became States: But *Maurice* proved too hard for them, and cut off *Barnevelt's* Head, and had hanged *Grotius*, if his Wife had not

not conveyed him away in a great Chest, pretending it contained *Arminian Books*: This was in the Year 1620.

The *Barneveldt* and *Grotius* propagated the *Arminian Tenets* to have deposed the Prince of *Orange*, and advanced their Democratical Government, yet the Church-men of *England* who preached the King's absolute Power, and exalted his divided Will from the Laws and Constitutions of the Nation, above his Royal Will in Governing by them, promoted these Tenets; and those that opposed them were stiled *Puritans*.

The principal Stickler herein was Dr. *William Laud*, a Man of a most turbulent and aspiring Disposition; and one of the first Acts for which he was taken notice of, was, to marry the Earl of *Devonshire* to the Lady *Rich*, (Mother to *Robert Earl of Warwick*, and *Henry Earl of Holland*) when her Husband was alive; but this was so far from advancing him, that the King was highly incensed against him for it.

Yet *Laud's* aspiring Humour could not contain him in a private State, but follow the Court he would, yet could never arrive higher than to be one of the King's Chaplains, by means whereof he sometimes got the King's Ear. The King hated the *Presbyterian Government*, and had got the Bishops in *Scotland* to be re-ordained by three of the *English Bishops*, as a distinct Order, which the Kirk in *Scotland* took for an abominable Usurpation over them; and also in the Year 1618, got the five Articles (commonly called *The five Articles of Perth*) to be settled, as more agreeable to the Doctrine and Discipline of the Church of *England*, but this was to the further Indignation of the Kirk-party: and herein King *James* set up his rest, as having gained an high Point; but tho' the King hated the *Presbyterian Government*, yet he opposed the *Arminian Tenets*.

Arch-bishop *Abbot* observed of him, when he was at Court, he was *Buckingham's* only inward Counsellor, sitting sometimes with him privately whole hours, and feeding his Humour with Malice and Spite; and when he was at *Oxford*, his Business was to pick Quarrels in the Lectures of publick Readers, and to advertise them to the Bishop of *Durham*, *Neal*, (the great Countenancer of the *Arminian Tenets*, and Promoter of the King's Pre-rogative) that he might fill the Ears of King *James* with Discontents against the honest Men that took pains in their Places, and settled the Truth (which he called *Puritanism*) in their Auditors: As you may read in *Rush. fol. 444*.

Nor could *Laud* forbear when he could get the King's Ear, but he urged him more than once, to promote the Doctrine and Discipline of the Church of *England* in *Scotland* after the obtaining the passing of the five Articles at *Perth*; this frightened King *James*, who better knew the Temper of his Country-men, and

how difficultly he had got the Articles of *Perth* to pass, that *Laud*, ignorant of the Temper of the *Scotish* Nation, should be so audacious to put the King upon this, which might (as it after did) embroil all *Scotland* in Tumults and Wars, and now becomes more averse to *Laud's* Promotion than before.

But this was no Consideration to *Buckingham*; whether the King would or not, *Laud* should rise: And soon after *Williams* was made Lord Keeper, the Bishoprick of *St. Davids* fell, and *Buckingham* resolved *Laud* should have it; and the Keeper must be the Man to propound it to the King, and receive no Denial. But it's fit to observe here, in what an humbling manner this Promotion was accomplish'd on the part of *Laud*; and take it as it was sent me by a Gentleman, with the Attestation of Col. L. and R. L. Esq; who often heard Mr. *Francis Osburn* speak of it as a certain Truth, and who had taken notice of it in some of his Works not made publick. As soon as *Laud* had Information that the foresaid Bishoprick was vacant, he hastens to wait upon the Duke of *Buckingham* for that Preferment, but found the Duke was not stirring; but being impatient of Delay, prevails upon one of the Duke's Gentlemen to acquaint him he had earnest Business with his Grace, and begged immediate Admittance; which being granted, the Doctor enters his Grace's Chamber, and finds him a-bed with a Whore: the Duke asks his Business; *Laud* told him, the Bishop of *St. Davids* was dead, and that he came to beg his Grace to recommend him to the King for the vacant See. The Duke told him, that he had been represented to him as the proudest Man alive, and therefore he could not, in Honour, recommend him to the King: *Laud* assures his Grace, that what had been said of him upon that Head, was utterly false, and the effect of Malice, &c. for he was so far acquainted with himself, as that he knew himself to be the humblest Man alive: I'll try that presently, says the Duke, and so as a Testimony of his great Humility, orders him, Spaniel-like, to take several Turns over and under the Bed, (his Grace, and his Whore all the while lying in it) which he did to Content; and when 'twas over, Well, says the Duke, now I believe you, and you shall have the Bishoprick of *St. Davids*. *Williams*, who knew the Disposall of the Seal was as *Buckingham* pleased, durst do no otherwise than become *Laud's* Advocate to the King; but the King was at first utterly averse from it, giving *Laud's* Marriage of the Lady *Rich*, and his urging the King not to rest at the five Articles of *Perth*, for some Reasons: but the Keeper persisting, and alledging how sorry *Laud* was for these, the King at last said, *And is there no hoe, but you will carry it! then take him to you; but on my Soul you will repent it;* and so went away in Anger, using other fierce and ominous Words, which were divulged in Court, and are too tart to be repeated, as you may read, fol. 64. tit. 75. in the Life of Archbishop *Williams*.

It's

It's observable, that Benefits conferred upon Ambitious Men, never create any Obligation of Gratitude; on the contrary, ill Men generally turn the Benefits received, to the Ruin and Overthrow of their Benefactors: More likely Instances hereof are rarely to be found than in *Laud* and *Buckingham*; this having received his first Admission into the King's Favour by the Mediation of the Arch-bishop to the Queen *Ann*, none else being able to perswade her to it; yet before the Arch-bishop could bring the Queen to it, she often told him, *My Lord, You and the rest of your Friends know not what you do; I know your Master (the King) better than you all: for if this young Man be once brought in, the first Persons that he will plague must be you that labour for him; yea, I shall have my part also, the King will teach him to despise and hardly intreat us all, that he may be beholden to none but himself; as you may read in his own Narrative in Rushworth, from fol. 438, to fol. 461.*

But *Laud's* Contrivance to ruin *Williams* after Bishop of *Lincoln*, takes up almost a Volume, reported by the Bishop of *Litchfield*, and by what villanous Instruments, Perjuries, Subornation, and keeping back of Witnesses, expunging and razing Records, and by displacing *Sir Robert Heath* from being Lord Chief Justice, because he would not do *Laud's* Drudgery, and bringing in *Sir John Finch*, who would *jurare in Verba Magistris*, as well as throw down the Bounds of the Forests to make the King's Subjects Inheritances to be a Prey to wild Beasts: yet after *Laud* had perpetrated all these, he confest he never read the Commission by which he acted. See the second Part of the Bishop of *Lincoln's* Life.

However, *Laud* could make no great Progress of his Malice against the Keeper in the Shortness of the Reign of King *James*, after he became Bishop: for the King had the Keeper's Parts and Learning in high Esteem, tho *Buckingham* both hated and feared the Keeper for them, no great sign of a wise Statesman, (see the Bishop of *Litchfield's* Life of Arch-bishop *Williams*, Part 1. fol. 148. tit. 156.) and had so little Wit as to say so: Yet *Laud*, now a Bishop, from a Stickler and Informer against those who opposed the *Arminian* Tenets, now becomes a Patron and Promoter of them; all Court-Favour now looked that way, and the Opposers of them were discountenanced, and ranked in the Degree of *Puritans*; all the Youth generally ran that way, and the Schools in both Universities rung loud upon those Tenets, and from thence were dispersed into all Parts of the Kingdom.

The King having spent the two Subsidies granted in Parliament, and the Benevolence, which he had by his own Authority raised all over *England*, for the Recovery of the *Palatinate*, upon the Prince's Expedition into *Spain*; *Buckingham*, to his Project of getting the Dean and Chapters Lands, propounds the Sale of all the Crown-Lands: but this meeting with many Difficulties, and being dis-

dissuaded from the farther Prosecution of it, by the powerful Reasons of my Lord Keeper *Williams*; there was now no other means left to get Money, but by calling a Parliament: And now *Buckingham* courts the popular Humour, and appears most forward for to make appear in Parliament the Reasons which induced him to persuade the Prince to break off from the Match with *Spain*; which tho it took at present, yet it was but short-lived, for the Treaty of the Marriage between the Prince and Daughter of *France* spoil'd all: But this was not known during the sitting of the Parliament, which met upon the 16th of *February* 1623.

We hear of no Proclamation now against talking of State-Affairs, the debating of them in Parliament is not *Sutor ultra crepidam*; on the contrary, the King, in his first Speech to them the 19th of *February*, tells them, *He craves their Advice, and that he would advise with them in Matters concerning his Estate and Dignity, and that he had ever endeavoured, by this and the like ways, to procure and cherish the Love of his People towards him: So he does hope, and his Hope exceeded by Faith, that never any King was more beloved by his People, &c.* Let any Man compare this with what the King said and did last Parliament, and after, and judg of the Sincerity of this part of the King's Speech, especially when he remembred himself better, when in his last Speech to this Parliament, he boasted he had broken the Necks of three Parliaments, which were all that were in his Reign, but this.

But these were but Generals, of which he complains; afterwards, having learn'd it of his Scholar *Buckingham*, in particular he asks their free Counsels in the Match of his Son; the debating of which, last Parliament, gave him so great Offence. Now at this time the King had broke off the Match in *Spain*, and was treating another with *France*, which was greedily entertained in the *French Court*, and some Progress made in it; of which the King never, that I can find, or do believe, mentioned one word to the Parliament.

The next Particular which the King communicated to them was of his Scholar, but now his Master, *Buckingham*, (in whom he (the King) ever reposed the most Trust of his Person) that he should be ever present with the Prince in *Spain*, and never leave him till he returned again safely to him; which he did, tho not with that Effect of the Business expected, yet not without Profit; for it taught him (the King) this point of Wisdom, *Qui versatur in generalibus* is easily deceived, and that Generality brings nothing to good Issue, but that before any Matter can be fully finished, it must be brought to Particulars; for when he thought the Affair had been, before their going, reduced to a narrow point, (but there is no point in Generalities) relying upon their general Propositions (of which I do not find neither the King, nor the Prince,

Prince, or *Buckingham* after him named one) he found, when they came there, the Matter proved so raw, as if it had never been treated of, they generally giving them easy way to evade, and affording them means to avoid the effecting any thing. But it seems there were Particulars which the King would not then discover, but left them to the Prince and *Buckingham* to relate.

As for a Toleration of the *Roman Religion*, As God shall judge him, he said, he never thought, nor meant, nor never in word expressed any thing that favoured of it. *How was Arch-bishop Abbot mistaken, when he wrote his dissuasive Letter against the King's Proclamation for the Toleration of Religion to Roman Catholics? See Rushworth, fol. 85. And how was my Lord Keeper Williams mistaken, after the King had directed him and other Commissioners to draw up a Pardon for all Offences past by Roman Catholics, with a Dispensation for those to come, obnoxious to any Laws against Recusants; and then to issue forth two general Commands under the Great Seal, the one to all Judges and Justices of Peace, and the other to all Bishops, Chancellors, and Commissaries, not to execute any Statute against them; and tho the Keeper past the Pardon as fully and amply as the Papists could desire to pen it, yet the Keeper put some stop to the vast Prohibition to the Judges and Bishops, for the Reasons he gave?*

First, Because the publishing of this General Indulgence at one push, may beget a general Discontent, if not a Mutiny; but the instilling thereof into the Peoples Knowledge by little and little, by the Favours done to Catholics, might indeed loosen the Tongues of a few particular Persons, who might hear of their Neighbours Pardon, and having vented their Dislike, would afterward cool again; and so his Majesty might by degrees with more convenience enlarge his Favours.

Secondly, Because to forbid the Judges against their Oaths, and the Justices of Peace, who are likewise sworn to execute the Laws of the Land, is a thing unprecedented in this Kingdom, and would be a harsh and bitter Pill to be digested without some Preparative: But this Delay disgusted the *Spanish Ambassador*; which you may read in *Rushworth, fol. 101.*

And as God was his Judge, he never thought, nor meant, nor ever in Word expressed any thing that favoured of a Toleration of the *Papish Religion*: So God was his Judge, and he spake as a Christian King. Never any wayfaring Man that was in the Deserts of *Arabia*, and in danger of Death for want of Water to quench his Thirst, more desired Water, than he did thirst and desire the good and comfortable Success of his Parliament, and Blessing upon their Counsels, that the good Issue of this may expiate and acquit the fruitless Issue of the former, and prayed God their Counsels may advance Religion and the publick Weal, and they of him and his Children. You may read the Speech at large in *Rushworth, fol. 115, 116, 117.*

But

But tho the King gloried that he had ever endeavoured to procure and cherish the Love of his People to him, which the Lords and Commons did represent; yet the Commons could remember a time not out of mind with the King; for they chose that honourable Gentleman Sir *Thomas Crew* (newly returned from his Exile into *Ireland*, whither the King had sent him, as one of the ill-tempered Spirits who advised him against the *Spanish Match*, and presumed to assert the Privileges of the Commons) for their Speaker.

After the Ceremonies of Opening the Parliament, and the Choice of a Speaker was over, the first thing that appeared upon the Stage of Affairs, was the Narrative of the Proceedings in the *Spanish Match*, made by the Duke of *Buckingham*, and assisted by the Prince: Which you may read at large in *Rushworth*, from fol. 119, to 125.

I shall not descant upon this long Narrative, but leave the Answering of it to the Earl of *Bristol*; but only take notice of the Preamble of the third Article of the Duke's Narrative, and the latter part of the fourth.

The Preamble of the third Article is, *It is fit to observe this Passage, which is the thing whereupon all his Highness's (the Prince's) subsequent Actions did depend: He had never staid a Sennight longer in Spain; he had never left any Proxy with Bristol; he had never taken the Oath at the Elicurial, or ever so much as have written a Letter of Compliment to the Lady, but that he had still before his Eyes, as his Cynosure, the Promise made by the Conde (I think the Duke meant Olivares) for the Restitution of the Palatinate.*

Why was this Treaty between King James and the Conde? Or if the Restitution of the Palatinate were the Foundation upon which the whole Treaty moved, Why was it not so much as mentioned in all the Treaty, so solemnly sworn to by both Kings, the Prince, and *Buckingham* himself? Nay, King James himself, by two several Expresses to the Earl of *Bristol*, the first of the 14th of May 1621. and the other of the 30th of December 1623. commanded him, That he should not make the Business of the Palatinate a Condition of the Marriage; as you may read in *Rushworth*, fol. 302.

For the better understanding of *Buckingham's* Narrative in the fourth Article, it is fit to take notice, That the Reason in the Instrument for not pursuing the Proxies of the Marriage so solemnly sworn to by the Prince, and *Buckingham* himself, was not for the Restitution of the Palatinate, but (forsooth) for fear the *Infanta* might retire into a Cloister, and so deprive the Prince of a Wife; tho the *Infanta*, so far as the Gravity of the Spaniards would permit, ever expressed an entire Affection to the Prince: so that when the Prince took leave of the *Infanta*, she seemed to deliver

deliver up her Heart to him, in as high Expressions as that Language and her Learning could with her Honour set forth: for when the Prince told her, *His Heart would never be out of Anxiety, till she had passed the intended Voyage, and were safe on the British Land*; she answered, with a modest Blush, *That if she were in danger upon the Ocean, or discomposed with the rolling brackish Waves, she should cheer up her self, and remember all the way, to whom she was going*: As you may read in the Life of Williams Lord Keeper, fol. 161. tit. 168. And Mr. Rushworth, fol. 104. says, She caused many divine Duties to be performed for the Prince's Return.

In the Proxies left with the Earl of Bristol, there was a Clause inserted, *De non revocando procuratore*; as much as to say, *irrevocable*: And because the Earl did in his Letter to the Prince, of the First of November in 1623, press this vehemently to the Prince, the Prince vowed openly before both Houses, that he had never by Oath nor Honour engaged himself nor to revoke those Powers, more than by the Clause *De non revocando procuratore*, inserted in the Instrument it self; and then he conceived the Clause to be matter of Form, and tho essentially of no binding Power, yet usually thrust into every such Instrument; and that the Civilians hold, That it is lawful by the Civil and Canon Law, for any Man to revoke his Proxy of Marriage, notwithstanding it hath the Clause *De non revocando procuratore* inserted in it: Therefore the Duke concluded, as to this point, That the Earl of Bristol, in charging this Matter so highly upon the Prince, had much forgiven himself.

Can any Man believe, that when the Prince made the Procuration to the King of Spain, and his Brother, to his Espousals with the Infanta in his Name, and left it in the Earl of Bristol's hands, with the Clause *De non revocando procuratore*, that he then had consulted with the Civilians, that he might revoke it when he pleased; or that this Marriage, nine Years in treating, was not founded upon the Honour and Oaths of the Kings, the Prince, and of Buckingham himself, but upon the Niceties and Quirks of the Civilians? Or did it become the Prince, or the Duke either, who when he parted from the King of Spain at the Escorial, solemnly to swear the Treaty of Marriage, and the Furtherance of it by all that was in his Power, in the presence of the Earl of Bristol, and Sir Walter Aston, as you may read in Rushworth, fol. 285. and now in the face of the King and Parliament, to plead a Nicety of the Civilians, to absolve the Prince and himself? Now let us see what the Earl of Bristol says for himself, for the Duke's Charge upon him for Proceedings upon this Match. His Reasons were,

1. For that he had a Warrant under the Prince's hand, for his Proceedings to consummate the Match.
2. It was the main Scope of his Embassy,

3. He

3. He was enjoined by the King and Prince's Commission under the Great Seal.

4. He had positive Orders under his Majesty's hand (King James) since.

5. It was agreed by Capitulation, that it should be within so many days after the coming of the Dispensation.

6. The King (James) and Prince signified by their Letters to him, at the same time when they discharged him of his Commandment touching the *Infanta's* entring into Religion, that they intended to proceed in the Marriage; which Letters bear date the 8th of October 1623.

7. The *Proxies* were to that end left in his hands; and after again renewed, after the Prince's return into England.

8. That he (the Earl) had overthrown the Marriage without Order; for tho Sir Walter Aston and himself had used all possible means for gaining time, and deferring the Desponsories, yet the King of Spain caused it to be protested, that in case the Earl should insist upon the deferring the Desponsories, he would free himself from the Treaty by the Earl's infringing the Capitulations: And in truth, altho the King of Spain should have condescended to have prolonged the Desponsories until one of the Days of *Christmas*, as by the Letter was required; yet the Prince's *Proxies* had been before that time expired, and he durst not, without a precise Warrant, put such a Scorn upon so noble a Lady, whom he then conceived was like to have been the Prince's Wife, as to nominate a Day of Marriage, when the *Proxies* were out of date, and he himself had sworn to the Treaty.

9. He (the Earl) could not, in Honour and Honesty, but endeavour to perform that publick Trust reposed in him, when the *Proxies* were deposited in his hands, with publick and legal Declaration, with an Instrument by a Secretary of State to the King of Spain, leading and directing the Use of them: and the same being then *Instrumentum Stipulatum*, wherein as well the King of Spain was interested by the Acceptation of the Substitution, as the Prince by granting the *Proxies*; he could not in Honesty fail the publick Trust without clear and undoubted Warrant; which, so soon as he had, he obeyed. See *Rushworth*, fol. 301, 302.

The Duke's stating the Question, *super totam materiam*, was;

Whether this, being the full Effect and Product of this Negotiation, he had opened to them (the Parliament) be sufficient, *super totam materiam*, for his Majesty to rely upon, with any Safety, as well for the Marriage of his only Son, as for the Relief of his only Daughter? Or, that these Treaties set aside, his Majesty were best to trust in his own Strength, and to stand upon his own Feet? So the Duke ended, That if the bringing us from

Darkness to Light, did deserve any Thanks, we must wholly ascribe it to his Highness the Prince.

Here is a Tale finely told, *parte inaudita altera*; but the Duke shall hear more of it, and indeed it was a Net so spread in the sight of every Bird, that it was a wonder it should catch any: for at this time the Match was quite broke off with *Spain*, and another entered upon with *France*, when it must be supposed, forsooth, the *Spanish* Match was in Treaty, and now must be broken off by Advice in Parliament, which was before such a Mystery of State as not to be meddled with in Parliament.

But while the Prince and Duke were wrapt up in security of the Parliament, as well as the King's Affections, and that now the Duke was become as well the Peoples as the King's Favourite, a new Accident happened, out of which, if the Prince and Duke had not been extricated by the matchless Wit and lively Industry of the Keeper, in all appearance it would have put both Prince and Duke out of the King's Favour and Affections, dissolved this beloved Parliament, and have brought such a train of mischievous Consequences as could not have been foreseen, or prevented. I desire to be excused if I do not cite the Bishop of *Litchfield's* words in the Life of the Lord Keeper, for I think the Case will more clearly appear without his Paraphrases and Glosses.

While the Marriage between the Prince and *Infanta* was in Treaty, the King of *Spain* sent *Don John*, Marquess *Inoiosa*, his Ambassador to be resident in *England*; a Man of true *Spanish* Gravity and Severity, and a most rigid Promoter of the Popish Interest in *England*; so that he was taken notice of to be the most surly and unpleasing Man that ever came to the Keeper about any Business.

If this Man were thus during the Treaty, it could not be expected he would become better natur'd upon the breaking of it; and the Duke of *Buckingham* was as jealous of him, that he should spoil the Narrative he had made of the Proceedings in the *Spanish* Match, as he was of the Earl of *Bristol*, and therefore would never admit the Marquess to have any private Audience of the King in the Duke's Absence; so that Sir *Walter Aston* wrote from *Spain*, that it was complained of, that Marquess *Inoiosa* had advertised thither he had not been able to procure a private Audience of the King tho he often desired it, but what the Duke assisted at.

Inoiosa, impatient of any longer Delay, about the latter end of April 1624, contrived this Expedient to put the following Paper into the King's Hand; he and *Don Carlo de Colonna* came adventurously to *White-Hall*, and whilst *Don Carlo* held the Prince and Duke in earnest Discourse, *Inoiosa* put this Paper into the King's Hand with a Wink, that the King should put it into his Pocket, wherein,

1. He terrifies the King, that he was not, or could not be acquainted with the Passages either of his own Court, or of the Parliament, for he was kept from all faithful Servants that would inform him by the Ministers of the Prince and Duke, and that he was a Prisoner as much as King *John of France in England*, or King *Francis at Madrid*, and could not be spoken with, but before such as watched him.

2. That there was a strong and violent Machination in hand, which had turned the Prince, a most obedient Son, to a quite contrary Course to his Majesty's Intentions.

3. That the Council began last Summer at *Madrid*, but was lately resolved on in *England*, to restrain his Majesty from the Exercise of the Government of his Kingdoms; and that the Prince and Duke had designed such Commissioners under themselves, as should intend great Affairs, and the Publick Good.

4. That this should be effected by beginning of a War, and keeping some Companies on foot in this Land, whereby to constrain his Majesty to yield to any thing, chiefly being brought into Straits for want of Monies to pay the Souldiers.

5. That the Prince and Duke's inclosing his Majesty from the said Ambassador, and other of his own Loyal People, that they might not come near in private, did argue in them a fear and distrust of a good Conscience.

6. That the Emissaries of the Duke had brought his Majesty into Contempt with the potent Men of this Realm, traducing him for slothful and unactive, for addition to an inglorious Peace, while the Inheritance of his Daughter and her Children is in the Hands of his Foes; and this appear'd by a Letter which the Duke had writ into *Holland*, and they had intercepted.

7. That his Majesty's Honour, nay his Crown and Safety, did depend upon a sudden Dissolution of the Parliament.

8. They loaded the Duke with sundry Misdemeanours in *Spain*, and his violent Oppotition to the Match.

9. That the Duke had divulged the King's Secrets, and the close Designs between his Majesty and their Master King *Philip*, about the States of *Holland*, and their Provinces, and laboured to put his Majesty out of the good Opinion of the *Hollanders*.

10. That the Duke was guilty of most corrupt dealing with the Ambassadors of divers Princes.

11. That all these things were carried on in the Parliament with an head-strong Violence, and that the Duke was the cause of it, who courted them only that were of troubled Humours.

12. That such Bitterness and Ignominies were vented in Parliament against the King of *Spain*, as were against all good Manners and Honour of the *English Nation*.

The 13th is a flat Contradiction to the Precedents, wherein they made the Prince privy to dangerous things; yet in this they say, *That the Pwittans (of whom the Duke was Head) did wish they could bring it about, that the Succession of the Kingdom might come to the Prince Palatine and his Children, in right of the Lady Elizabeth.*

In a *Postscript*, the Paper prayed the King, That Don Francisco Carondelet, Secretary to the Marquess Inoiosa, might be brought to the King, when the Prince and Duke were sitting in the Lords House, to satisfy such Doubts as the King might raise, which was performed by the Earl of Kelly, who watch'd a fit Season at one time for Francisco, and for Padre Maestro a Jesuit at another time, who told their Errand so spitefully, that the King was troubled at their Relations.

How far the Spanish Ambassador Carondelet, and the Jesuit Maestro, could make good this Paper, I cannot tell, nor does the Bishop say; however the King was apprehensive, that the Parliament was solicitous to engage him in a War for the Palatinate; which he so dreaded, that, as the Bishop says, he thought scarce any Mischief was so great as was worth a War to mend it; where in the Prince did deviate from him, as likewise in his Affection to the Spanish Alliance: But he stuck at the Duke more, whom he defended in one part to one of the Spanish Ministers, yet at the same time complaining, *That he had noted in him a turbulent Spirit of late, and knew not how to mitigate it, so that casting up the Sum he doubted it might come to his turn to pay the Reckoning.*

These Thoughts so wrought upon the King, that his Countenance fell suddenly, that he mused much in Silence, and that he entertained the Prince and Duke with mystical and broken Speeches: this nettled them both, and enquiring the Reason, they could not go further, than that they heard the Spanish Secretary and the Jesuit Maestro had been with the King, and understood that some in the Ambassador's House had vaunted, that they had nettled the Duke, and that a Train would take fire shortly to blow up the Parliament.

In this Perplexity the King prepared to take Coach for Windsor, to shift Ground for some better Rest in this Unrest, and took Coach at St. James's Gate, and the Prince with him, and found a slight Errand to leave Buckingham behind; as the King was putting his Foot into the Coach, the Duke besought him, with Tears in his Eyes, and humble Prayer, that his Majesty would let him know what could be laid to his Charge to offend so good and gracious a Master, and vowed by the Name of his Saviour he would purge it, or confess it: The King did not satisfy him, but breathed out his Disgust, that he was the unhappiest alive to be forsaken

of them that were dearest to him, which was uttered and received with Tears from his own Eyes, as well as the Prince's and Duke's, and made haste to *Windsor*, leaving the Duke behind: this was upon *Saturday* at the end of *April*.

The Duke forlorn, retires to *Wallingford-House*, and was in such Confusion and Distraction, that when my Lord Keeper, (who had notice of all these things, and was more careful of the Duke than he could be of himself) came to him, he found the Duke lying upon his Couch, in that immoveable Posture, that he would neither rise up nor speak, tho the Keeper invited him to it twice or thrice by courteous Questions. The Keeper told him by the Faith of a deep Protestation, that he came purposely to prevent more Harm, and to bring him out of that Sorrow into the Light of the King's Favour; *That he verily believ'd God's directing Hand was in it, to stir up his Grace to advance him to those Favours, which he possessed, to do him Service at this Pinch of Extremity.*

The Keeper besought the Duke to make haste to *Windsor*, and to shew himself to the King before Supper was ended; to deport himself with all amiable Addresses, and not to flir from him Day nor Night, for the Danger was, that some would thrust themselves to push on the King to break up the Parliament; and the next degree of their Hope was, upon the Dissolution of the Parliament to see his Grace committed to the *Tower*, and then God knows what would follow; the Keeper besought him to be secret, and be quick and judicious in the Prevention: More might not be said, because the Loss of Time might lose all. The Duke thank't him, and made haste to *Windsor* before he was lookt for, and was as inseparable from the King as his Shadow.

The Fineness of the Keeper's Wit, in unriddling this Mystery, is equal to that of *Cicero*, in finding out the Bottom of *Catiline's* Conspiracy; and by like means, viz. by Women, tho after a different manner: For *Fulvia* of her own accord discovered *Catiline's* Conspiracy, in Spite and Emulation to *Sempronia*; but the Keeper bribed one of *Fulvia's* Stamp, to get an Insight into this Design, which so perplext the King.

It seems to me that the Prince and Duke had a Jealousy that the *Spanish* Ambassador might infuse something into the Keeper, which might spoil the Narrative which the Duke made in Parliament of the *Spanish* Match; and therefore the Keeper had given express Orders, that neither the *Spanish* Ambassador, nor any of his Train, or Followers, should come at him, whereby the Keeper had been secluded for a Month from any Intelligence from thence.

But before, *Don Francisco Carondelet*, the Ambassador's Secretary, was frequently at the Keeper's; he was contrary to the Ambassador, as well by Birth, for he was a *Walloon*, not a *Castilian*, and

Arch-Deacon of *Cambray*, as by Nature, being learned, and of a free and pleasant Disposition; whereas the *Spanish* Ambassador was most austere and fowr, so as there was a great Intimacy between the Keeper and him, and out of him the Keeper got, what a Servant the Secretary was to some of our *English* Ladies of Pleasure; but above all to one in *Mark-lane*, who by her Wit so managed the Secretary, that he could keep no Secret from her which she would have had made known: With her the Keeper held Correspondence, and presented her bountifully, though he told the Prince he had never seen her; and by her the Keeper had the rough Draught of the Design of the Paper which the Ambassador had put into the King's Hands: The Keeper had also notice of an *English* Priest, who lived in *Drury-lane*, which the Secretary loved above any other, and was dearer to him than his own Confessor, but whether the Keeper came to the Knowledge of this by the Lady in *Mark-lane*, or from the Secretary himself, the Bishop does not say.

The Commons had drawn up a Remonstrance against the Liberty which the Priests assumed, which the King called a Stinging one, and which put the Priests into a great Terror; and in this Terror, he sent his Pursevant Captain *Toothbie*, to seize the Priest in *Mark-lane*, and not to commit him to Prison, but to keep him at his own House till further Order.

The Secretary soon heard of this, and was confounded what to do for the Priest's Delivery; he knew no other means to do it, but by my Lord Keeper, and from him he was banished; yet in this Extremity, he sent to the Keeper, to beg of him to see his Face but that Day, tho he never saw him more: this was it the Keeper desired, yet he seemed very unwilling to admit him; however if the Secretary came about eleven of the Clock at Night, the Keeper would order one of his Servants to let him in at the back Door of the Garden.

When the Secretary came into the Keeper's Presence, he told the Keeper, That nothing but a Matter as dear to him as his own Life, should have forc'd him to break Rule to offend his Lordship with his Presence, and bewailed the Disaster of his *Confessors* Attachment, and most passionately implored the Keeper to compass his Deliverance.

And would you have me, says the Keeper, run such an Hazard to set a Priest at Liberty, a dead Man by our Statutes, when the Eye of the Parliament is so vigilant upon the Breach of Justice, especially in this kind, to the sadding of godly Men, who detest them that creep hither out of Seminaries, above all other Malefactors, because they come with an intent to pervert them who have lived in the Bosom of our Church?

My Lord, says Francisco, (accenting his Words with passionate Gesture) let not the Dread of this Parliament trouble you, for I can tell you, if you have not heard it, that it is upon Expiration : and then the Keeper pickt out of him the Heads of the Articles in the Paper the Ambassador had given the King, with all the Reasons, Circumstances, and distorted Proofs, and Expositions to confirm them ; and about two in the Morning dismiss the Secretary, and ordered the Pursevant to release the Priest, with Caution that he should cross the Seas that Day, or the next.

The Keeper was as happy in his Memory, as in his Wit and Invention ; for after the Secretary was gone, he neither slept, nor stirred out of the Room, till he had digested all the Secretary had told him in Writing, with his Observations upon each Particular ; and when he had trimmed up a fair Copy, (but what it was the Bishop says not) he carried it to the Prince at St. James's : This was upon *Tuesday* morning, after the King went to *Windsor*.

The Prince read the Charges, and admired at the Virulency of them ; with the Antiscripts of the Keeper, which were much commended, whereupon he caused his Coach to be made ready ; but before he went, the Keeper humbly begg'd of him to conceal the Matter for two Reasons : First, for searching into the King's Counsels, which he would not should be opened : Secondly, that when he had found them out, to discover them, tho to his Highness ; which the Prince promised, and then went to *Windsor*. When he came there, he called for the Duke, and shewed him the Paper privately, with the Apology in the other Column : the Duke humbly thankd the Prince, that his Case was interwoven with his Highness, and their double Vindication put into one Frame ; and besought the Prince to know what *Vitruvius* had compacted a Piece of Architecture of such Vicinity in so short a time, but could not obtain it.

So they forthwith desired a private Hearing of the King, and gave the Schedule to his Majesty's Consideration ; the King read it deliberately, and at many Stops said, *'twas well, very well*, and drew the Prince and Duke near to him, and embraced them both, protesting he sorrowed much, that he had aggrieved them, with a Jealousy fomented by no better than Traitors : *And that you may know, said the King, how little you shall pay me for Reconciliation, I ask no more but to tell me who is your Engineer, that struck these Sparks out of the Flint to light the Candle, to find the Groat which was lost.* The Prince stood mute, and the Duke vowed, he knew not the Author. *Well, said the King, I have a good Nostril, and will answer mine own Question ; my Keeper had the main finger in it, I dare swear he bolted the Flower, and made it up into Past.* Sir, said the Prince, I was precluded, by my Promise, not to reveal him, but I never promised to tell a Lie for him ;

Your Majesty has hit the Man : And God do him good for it, says the King ; I need not tell you both what you owe him for this Service ; he has done himself this Right with me, that I discern his Sufficiency more and more. This you may read in the Keeper's Life, Part 1. from fol. 195, to fol. 200. and much more of the Bishop, but I think but little more of the Keeper. And tho the Spanish Ambassador received a fore Rebuke here, and was sent back into Spain, the Bishop says he received no Frown nor Disfavour there.

Now let's see how the Duke requited the Keeper for his Service, which was but in *May* : In the beginning of *Michaelmas*-Term following, the Duke perswaded my Lord Chief Justice *Hobart* to tell the King, or give it under his hand, that my Lord Keeper was not fit for the Place, and he would undertake to cast the Keeper out, and put my Lord *Hobart* into his place ; but my Lord *Hobart* said, *Somewhat might have been said at first, but he should do my Lord Keeper great wrong that said so now. See fol. 201.*

However, such was the Temper of the Times, that both Houses chimed in with the Duke in his Narrative, and justified him against the *Spanish* Ambassador, who took great Offence at the Duke's Relation, as reflecting upon his Master's Honour, and demanded his Head for Satisfaction.

The King was so pleased with the Parliament's Justification of the Duke, as we have shewed before, that as he had been his Favourite *Somerset's* Advocate, to plead his Cause against the Opinion of Archbishop *Abbot*, to make the Countess of *Essex* to be *virgo intacta*, and so a fit Wife for *Somerset* ; so now he becomes his Disciple *Buckingham's* Advocate, to make him a Favourite to the Nation : and because of the Excellency and Veracity of his Speech, which should dispose the Nation to it, we'll give it you *verbatim*, as it is to be seen in *Rushworth*, fol. 127.

My Lords and Gentlemen,

" I Might have nothing to speak in regard of the Person where-
 " of you spake, but in regard of your Motion, it were not ci-
 " vil ; for if I be silent, I shall neither wrong my self, nor that
 " Noble Man which you now spake of, because he is well known
 " to be such an one as stands in no need of a *Prolocutor* or *Fide-*
 " *jussor*, to undertake for his Fidelity, or well carrying of the Bu-
 " siness : And indeed, to send a Man upon so great an Errand
 " whom I was not to trust for the Carriage thereof, were a Fault,
 " in my Discretion, scarce compatible to the Love and Trust I bear
 " him. It is an old Saying, *That he is a happy Man that serves a*
 " *good Master* ; and it is no less true, *That he is a happy Master*
 " *that enjoys a faithful Servant.*

" The

"The greatest Fault (if it be a Fault) or at leastwise the
 "greatest Error, I hope, he shall ever commit against me, was,
 "his desiring this Justification from you, as if he had need of
 "any Justification from others towards me; and that for these
 "Reasons.

"First, Because he being my Disciple and Scholar, he may be
 "assured he will trust his own Relation. Secondly, Because he
 "made the same Relation to me which he did afterwards to both
 "Houses, so as I was formerly acquainted with the Matter and
 "Manner thereof; and if I should not trust him in the Carriage,
 "I was altogether unworthy of such a Servant: He hath no Inter-
 "est of his own in the Business: He had ill Thoughts at home
 "for his going thither with my Son, altho it was my Command,
 "as I told you before; and now he hath as little Thanks for his
 "Relation on the other part, (*he has the Thanks of the Parliament*)
 "yet he that serves God and a good Master, cannot miscarry for
 "all this.

"I have noted in the Negotiation, these three remarkable
 "things, *Faith, Diligence, and Discretion*, whereof my Son has
 "born Record unto me; yet I cannot deny, That as he thought
 "to do good Service to his Master, he has given an ill Example to
 "Ambassadors in time to come, because he went this long Jour-
 "ney upon his own Charge: This will prove an ill Example, if
 "many of my Ambassadors should take it for a Precedent. He
 "run his Head into the Yoke with the People here for underta-
 "king the Journey; and when he had spent there 40 or 50000 *l.*
 " (*where should he have this Money?*) never offered his Account,
 "nor made any Demand for the same, nor ever will: I hope other
 "Ambassadors will do so no more. I am a good Master, that never
 "doubted him, for I know him to be so good a Scholar of mine,
 "that I say, without Vanity, he will not exceed his Master's Di-
 "ctates: and I trust the Report not the worst he made, because
 "it is approved by you all, and I am glad he hath so well satisfied
 "you, and thank you heartily for taking it in so good part, as I
 "find you have done.

Did ever any old experienced King (as he styles himself) so
 dote upon a young, raw, and unexperienced Gentleman, (bred up
 in no sort of Learning or Business, and scarce before he became a
 Courtier, unless in his Infancy, breathed any other than *French*
Air) as in the face of the Nation, to magnify an invidious Tale,
 told by the Duke, to the Offence not only of the *Spanish* Ambassa-
 dor, conversant in the whole Affair, but also without hearing the
 Earl of *Bristol*, who was the greatest Statesman of *England*, if not
 in *Europe*, and who had so honourably performed several Embassies,
 to the Honour of the King, so far as the thing would bear, and so
 mani-

manifestly owned by the King? That this Scholar of the King's, unacquainted with the Treaty, should break in upon the Earl, and not only unravel all, but quarrel with him, and in another King's Court with the prime Minister of State, by whom he might best have attained his End, if he designed any.

However, the Parliament address themselves to the King, and represent to him, That he cannot in Honour proceed in the Treaty of the Match with *Spain*, nor the *Palatinate*; and the Commons offer the King three Subsidies and three Fifteenths, for carrying on the War for the Recovery of the *Palatinate*, in case the King will break off the Treaties: which the King accepted, protesting to God, a Penny of this Money should not be bestowed but upon this Work, and by their own Committees; and the Commons took him at his Word, and appointed Treasurers to receive the Money, and a Council of War to disburse the same.

But the Commons having granted these Subsidies, drew up a Petition against the Licence the Popish Party had taken during the Treaty with *Spain*. He was so nettled at it, that he called it a *Stringing One*; and hearing the Commons were entering upon Grievances, he could not endure it, and upon the 29th of *May* adjourned the Parliament to the 2d of *November* 1624, and from thence to the 7th of *April*, lest the King should hear of another stringing Petition, or a Disturbance in the *French Treaty*: but at this Adjournment he told them, at their next Meeting they might handle Grievances, so as they did not hunt after them, nor present any but those of Importance; yet I do not find the Parliament ever met again, at least never did any thing: However the King passed a General Pardon, and the Parliament censured *Lionel Earl of Middlesex*, Lord Treasurer, for Corruption in his Office, 50000 *l.* to the King, and to be imprisoned in the Tower during the King's Pleasure, which was but three days after the Adjournment of the Parliament; for upon the first of *June* he was set free.

Whilst these things were doing in Parliament, the Earl of *Bristol* was recalled from his Embassy; but before his Arrival, the Duke dealt by all means, that the Earl might be committed to the Tower before he should be admitted to the King's Presence: But fearing the Marquis *Hamilton*, and my Lord Chamberlain, would oppose him herein, the Duke pressed them that they would concur in it, vowing (as *Somerſet* did to *Sir Thomas Overbury*) he intended the Earl no hurt, but only feared, that if he should be admitted to the King's Presence, he would cross and disturb the Course of Affairs: but neither of these Lords would condescend thereunto. This was attested by my Lord Chamberlain before the House of Lords.

This Design of the Duke's failing, the Duke, to terrify the Earl from returning into *England*, writ to him, that if he kept not himself where he was, (in *Spain*) and laid hold of the great Offers which he heard were made unto him (the Earl) it should be the worse for him.

At *Bordeaux* the Earl heard of the Aspersions cast upon him by the Duke in Parliament; of which, the Earl did boldly afterward in the House of Lords, in the second Parliament of *Car. I.* and in the Presence of the Duke, affirm, *That there was scarce any one thing concerning him in the Declaration, which was not contrary to, or different from Truth.*

From *Bordeaux* the Earl took Post to get into *England*, to vindicate himself from the Aspersions which the Duke had cast upon him in Parliament: but when he came to *Calais*, tho he sent over to have one of the King's Ships allowed him, and for which publick Orders were given; and tho the King (*James*) had Ships which lay at *Boloign*, which might have every day been with him in three Hours; and the Wind fair, yet none came, tho the Earl waited for one eight Days; so that he was forced to pass the Sea to *Dover* in a Boat and six Oars.

When the Earl was landed at *Dover*, he was, by a Letter from my Lord *Conway* (a Creature of the Duke's) commanded in the King's Name to retire to his House, and not to come to Court, or the King's Presence, until he had answered to certain Questions, which his Majesty would appoint some of the Council to ask him: but this was not out of any ill meaning to him, but for fear the Parliament should fall too violently upon him; and this the Duke said to some of his Friends, was the Reason of the Earl's Restraint.

Hereupon the Earl humbly petitioned the King he might be exposed to Parliament, and that if he had not served the King honestly in all things, he deserved no Favour, but to be proceeded against with all Severity; but received Answer from the King, That there should be but few days past before he would put an end to his Affairs: but the Parliament was adjourned before the few days' passed, nor did he ever put an end to them. You may read the further Contrivances against him by the Duke, in *Rushw.* from fol. 259, to 265.

After the Adjournment of the Parliament (or, if you will, the Dissolution of it) tho the Earl of *Bristol* could not obtain Admission into the King's Presence, yet he obtained Leave to answer to all the Duke had, in his Absence, charged upon him in Parliament; and withal wrote to the Duke, that if he, or any Man living, was able to make Reply, he would submit himself to any thing which should be demanded: which tho the Duke presumptuously said, *That it is not an Assertion to be granted, that the Earl of Bristol by his Answer had satisfied the King, the Prince, or himself, of his Innocence;*

innocence; yet it so satisfied the King, that when the Duke after pressed the King that the Earl might submit, and acknowledg his Fault, the King answered, *I were to be accounted a Tyrant, to engage an innocent Man to confess Faults of which he was not guilty.* Tho the Earl said he could prove this upon Oath, yet the Duke wrote to him, that the Conclusion of all that had been treated with his Majesty was, that he (the Earl) should make the Acknowledgment as was set down in that Paper, tho at that time the King sent him word, that he would hear him against the Duke, as well as he had heard the Duke concerning him; and soon after the King died; which Promise of the King's, the Earl prayed God did the King no hurt: however, the Earl obtained Leave of the King to come to London, to follow his private Affairs. Mr. Rushworth therefore errs a little in point of time, where he says, fol. 149. the Earl was committed to the Tower in King James his time; for he was not committed till the 15th of January 1625. in the first Year of King Charles, as you may see in Stow's Life of King Charles, fol. 1042.

We have now done with the Spanish Match, at least during this King's Reign; yet the King's Desires of seeing his Son married, which he shall never see, were as impatient as those of getting the Infanta's huge Portion: and to that end, before the Meeting of the Parliament, and while the Treaty with the Infanta was yet breathing, the King sent my Lord Kensington (after Earl of Holland) to feel the Pulse of the French Court, how it beat towards an Alliance between the Prince, and Princess Henrietta Maria, youngest Daughter of Henry IV. of France. A serene Heaven appeared in France upon the Motion; not a Cloud to be seen in all the French Horizon; Lewis the King telling my Lord Kensington, he took it for an Honour, that he sought his Sister for the sole Son of so Illustrious a King, his Neighbour and Ally; only he desired he might send to Rome, to have the Pope's Consent, for the better Satisfaction of his Conscience. And now you shall see how a little French Artifice could work upon the Conscience of our wise and pacifick King, which we will give *verbatim* as the King says it, in return to the French King, and which you may read in Mr. Howel's Life of Lewis XIII. fol. 63.

Most High, most Excellent, and most Puissant Prince,

“OUR dear and most beloved good Brother, Cousin, and an-
 “cient Ally: Altho the deceased King of happy Memory
 “was justly called *Henry the Great*, for having reconquer'd by
 “Arms his Kingdom of France, tho it appertained to him as his
 “proper Inheritance, (*so here King James determined his Title to*
 “France) yet you have made a greater Conquest; for the King-
 “dom

dom of France, though it was regained by the victorious Arms of your dead Father, it was his *de Jure*, and so he got nothing but his own; but you have lately carried away a greater Victory, having by your two last Letters, so full of cordial Courtesies, overcome your good Brother and ancient Ally, and all the Kingdoms appertaining to him: for we acknowledg our Self so conquered by your more than brotherly Affection, that we cannot return you the like; only we can promise and assure you, upon the Faith of an honest Man, that you shall always have Power, not only to dispose of our Forces and Kingdoms, but of our Heart and Person, and also of the Person of our Son if you have need, which God prevent, praying you to rest assured, that we shall not only be so far from cherishing or giving the least Countenance to any of your Subjects, of what Profession soever of Religion, who have forgot their natural Allegiance to you, but if we hear the least inkling thereof, we shall send you very faithful Advertisement; and you may promise your self, that upon such Occasion, or any other which may tend to the Honour of your Crown, you shall always have Power to dispose of our Assistance as if the Cause were our own. So upon Assurances that our Interests shall be always common, we pray God, most High, most Excellent, most Puissant Prince, our most dear and most beloved Brother and Ally, to have you always in his most holy Protection. *Newmarket the 9th of February 1624.* Your most affectionate Brother, Cousin, and ancient Ally,
James K.

So prodigal was King *James* of his Promises, and so negligent in their Performance, whether they were in his power or not. Now let's see what became of this bluster of Words, and how the Interest of King *James* was common in this very Treaty, with the most High, most Excellent, and most Puissant Prince, his most dear, and most beloved Brother, Cousin and Ally, *Lewis*.

Lewis, whilst King *James* was intent upon his Pleasures, and pursuing the *Spanish* and *French* Matches, had taken almost all the In-land Cautionary Towns which the *Reformed* held in *France*, and about the Beginning of this Treaty, by the Interposition of his Mother, had made Cardinal *Richlieu* prime Minister of State, who shall serve her as *Buckingham* shall serve the Arch-bishop of *Canterbury*, and *Laud* his Patron *Williams*, Lord Keeper; and to *Richlieu* did *Lewis* commit the Management of this Treaty, another-gue's Minister of State than *Olivares* was in *Spain*, and shall pay *Buckingham* his own again with Interest.

Nani, lib. 5. fol. 205. observes of *Richlieu*, that the King had no Inclination to him, there being a certain natural secret Aversion to those, who with an Ascendant of Wit exceed: Sure it is,
the

the Cardinal possessed rather the Power of Favour than the Favour it self; nevertheless, he had the *Great Art* how to fix the mutable and suspicious *Genius* of the King, and the inconstant Nature of the People, governing as with a supream Dictatorship, the one and the other, even to his Death.

Richlieu had his Eyes in all the Corners of the Court of *England*, and was throughly informed of the King's Fondness of this Match, and of the Insufficiency of *Buckingham* to encounter him in the Transactions of it; and therefore how sweetly and desiredly soever the Proposition was embraced in *France*, yet in the Treaty *Richlieu* stood upon his Tip-toes, now that of *Spain* was broke off.

In the first place, he would not abate one *Iota* of the Articles of Religion and Liberty to the Popish Recufants, which was agreed upon in *Spain*; nay, he raised them higher: for it was but fit, he said, *His Master, who was the eldest Son of the Church, should not abate any thing of what was granted to the Catholick King*: if there had been nothing else, this would have caused another stinging Petition from the Commons (as the King called it) if ever they had met again.

And though her Portion was but 800000 Crowns, (not one tenth of the *Infanta's*) yet the Consideration of it must be 180000 *l.* per Ann. Jointure, (which her Son increased to 400000 *l.*) and besides, the King (*James*) shall give her 50000 *l.* in Jewels, whereof she shall have the Property, as of those she has already, and also of what she shall have hereafter: The King also (*James*) shall be obliged to maintain her and her House; and in case she come to be a Widow, she shall enjoy her Dowry and Jointure, which shall be assigned in Lands, Castles, and Houses, whereof one shall be furnished and fit for Habitation, and the said Jointure be paid her wheresoever she shall desire to reside; she shall also have the free Disposal of all the Benefices and Offices belonging to the said Lands, whereof one to be a Dutchy or County.

And in case she survive her Husband, her Dowry shall be returned to her entirely, whether she live in *England* or not: and in case she die before her Husband, without Children, the Moiety of her Portion to be returned: yet this Portion must one half be paid the Year after the Contract, the other half the Year after that.

Having taken a view of the Temporal Articles of this Treaty, let's see what was agreed to in those which referred to Religion.

The Articles of Marriage of the King of Great Britain, with Madam Henrietta Maria of France.

THIS Negotiation was so happy, that it caused the King to consent to all the Articles which were demanded for the Catholics, and that his Majesty gave Charge to his Ambassadors to agree to them : they signed them with the Cardinal at *Paris* the 10th of November 1624, with these Considerations,

That Madame the King's Sister should have all sort of Liberty in Exercise of the Catholick, Apostolick and Roman Religion, and all her Officers and her Children ; and that they should have for this Purpose a Chappel in all the Royal Houses, and a Bishop with 28 Priests to administer the Sacraments, and the Word of God, and to do all their Offices.

That the Children which should be born of that Marriage, should be nourished and brought up by *Madame* in the Catholick Religion, until the Age of 13 Years.

That all the Domesticks which she should carry into England should be French Catholics, chosen by the Most Christian King ; and when they died, she should take other French Catholics in their Places, but nevertheless by the Consent of the King of Great Britain.

That the King of Great Britain, and the Prince of Wales his Son, should oblige themselves by Oath, not to attempt by any means whatsoever to make her change her Religion, or to force her to any thing that might be contrary thereto ; and should promise by writing in the Faith and Word of a King and Prince, to give Order that the Catholics, as well Ecclesiastical as Secular, who have been imprisoned since the last Edict against them, should be set at Liberty.

That the English Catholics should be no more enquired after for their Religion, nor constrained to take the Oath, which contains something contrary to the Catholick Religion : That their Goods that have been seized since the last Edict, should be restored to them.

And generally that they should receive more Graces and Liberty in Favour of the Alliance with France, than had been promised them in consideration of that of Spain.

The Deputation of Father Berule, Superior General of the Fathers of the Oratory to his Holiness, to obtain the Dispensation for the aforesaid Marriage.

THE Instructions which were given to Father *de Berule*, were to render himself with all Diligence at *Rome*, to obtain the Pope's Dispensation, and to this Effect to represent to his Holiness, That the King of Great Britain having demanded of the King his Sister *Madame Henrietta Maria*, for a Wife for the Prince of Wales, his

his Son; his Majesty hearken'd the more willingly to this Proposition, in that he esteem'd it very profitable towards the Conversion of the *English*, as heretofore a *French* Princess married into *England*, had induced them to embrace Christianity: but the Honour which he had vowed to the Holy See, and particularly to his Holiness, who baptized him in the Name of Pope *Clement VIII* did not permit him to execute the Treaty without having obtained his Dispensations. That this Marriage ought to be look'd upon, not only for the Benefit of the *English* Catholicks, but of all *Christianity*, who would thereby receive great Advantage: That there was nothing to be hazarded for in *Madame*, seeing that she was as firm in the Faith and in Piety as he could desire: That she had a Bishop and 28 Priests to do their Duties: That she had not a Domestick that was not Catholick, and that the King of *Great Britain*, and the Prince of *Wales*, would oblige themselves by Writing, and by Oath, not to solicit her directly or indirectly, neither by themselves, or by Persons interposed, to change her Religion. On the contrary, having nothing to fear for her, he had great Cause to hope, that she being dearly beloved of the King, who was already well enough disposed to be a Catholick, and of the Prince of *Wales*, she might by so much the more contribute to their Conversion, as Women have wonderful Power over their Husbands, and their Fathers-in-law, when Love hath given them the Ascendant over their Spirits: That she was so zealous in Religion, that there was no doubt but she would employ in this pious Design, all that depended upon her Industry; and that if God should not bless Intentions in the Person of King *James*, and of the Prince of *Wales*, it was apparent that their Children would be the Restorers of the Faith which their Ancestors had destroyed, seeing she would have the Charge to educate them in the Belief and in the Exercises of the Catholick Religion till the Age of 13 Years; and that these first Seeds of Piety being laid in their Souls, cultivated with Care at the time when they should be more susceptible of Instructions, would infallibly produce stable and permanent Fruits, that is to say, a Faith so firm, that it may not be shaken by Heresy in a riper Age. That after all, the Catholicks of *England* would receive no small Profit at present, since the King of *Great Britain*, and the Prince of *Wales*, would both oblige themselves upon their Faith, and by Writing, no more to enquire after them, nor punish them when they should be discovered; to enlarge all those that had been imprisoned, and to make them Restitution of Money and of other Goods that had been taken from them since the last Edict, if they were yet in being; and generally to treat them with more Favour than they could have expected from the Alliance with *Spain*. And further, He had Orders to let the Pope understand, that to render more Respect to

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the Church, it had been agreed that *Madame* should be affianced and married according to the Catholick Form, and agreeable to that which was followed at the Marriage which *Charles IX.* made of *Madam Margaret of France* with the late King *Henry IV.* then King of *Navarre*. All these things spoke themselves, and appeared so visibly, that they would admit of no doubt: so this Father that wanted neither Spirit nor Fire, represented them dexterously to the Pope; and his Holiness made him hope for a speedy and favourable Answer, &c. See the Life of Cardinal *Richlieu*, printed at *Paris* 1650. fol. 14, 15.

How does this agree with the King's Speech at the opening of the Parliament, in the 18th Year of his Reign, *That if the Treaty of the Match between his Son and the Infanta of Spain were not for the Benefit of the Established Religion at home, and of the Reformed abroad, he was not worthy to be their King?* And how does this agree with that part of the King's Speech at the opening of this Parliament, *That as for the Toleration of the Roman Religion, as God shall surely judg him, he said, he never thought nor meant, nor never in Words expressed any thing that favoured of it?*

Do not Religion, Truth, and Justice support the Thrones of Princes? and Hypocrisy, Falshood, and Injustice undermine and overthrow them? What future Happiness then could either the King or Prince hope to succeed this Treaty, sworn to by them both, so diametrically contrary to the Laws and Constitutions of this Nation, wherein the Majesty of the King, as well as the Safety of the Nation, is founded? and to govern by these, and observe this Treaty, will be impossible. What Peace could the Prince find at home, even in his Bed, when an imperious *French* Wife shall be ever instigating him to break his Coronation-Oath, to truckle to that imposed upon him by her Brother of *France*?

These Pills, how bitter soever, must be swallowed by the King, rather than his Son shall be baulk'd a second time; nay, it seems they were very sweet to him: For Mr. *Howel*, in the Life of *Lewis III.* says, fol. 66. that King *James* said passionately to the Lords of the Council of the King of *France*;

My Lords, the King of *France* has wrote unto me, That he is so far my Friend, that if ever I have need of him, he will render me Offices in Person, whensoever I shall desire him: (*the Truth of this you will see by and by.*) Truly he hath gained upon me more than any of his Predecessors; and he may believe me, that in any thing that shall concern him, I will employ not only my Peoples Lives, but my own; (*Bravely spoken, and like K. James*) and whosoever of his Subjects (*Lewis's*) shall rise against him, either Catholicks or others, shall find him (*James*) a Party for him (*Lewis*). 'Tis true, if he be provoked to infringe his

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Edicts, he shall impart as much as in him lies, by Counsel and Advice, to prevent the Inconveniencies. *Who ever expected he should do more, or ever did?*

But *Venus* must not have the only Ascendant in this Treaty; for the Cardinal will have *Mars* to be in Conjunction with her: and 'twas high time; for at this time Monsieur *Sobiez* had provided a great Fleet of Men of War (as Times went then with the *French*) and had entered and surpris'd the Fort of *Blavet* in *Bretaign*, and took and carried away six of the *French* great Men of War out of it, and also taken the Illes of *Rhe* and *Oleron*, which he began to fortify; and being absolute Master of the Sea, triumphantly, with a Fleet of 75 Men of War of all sorts, landed a considerable Force at *Medoc* near *Bordeaux*.

The Court of *France* was never so alarmed as at this, notwithstanding all the King's Victories over the *Reformed* by Land; and therefore the Cardinal threw another Article into the Treaty, That King *James* should lend the *French* a Fleet of Ships to repress *Sobiez*; and in lieu thereof, the *French* should permit *Mansfield*, who had rais'd an Army of 10000 Foot and 2000 Horse in *England*, to land at *Calais*; where the *French* should join him with another Body of Horse and Foot, for the Recovery of the *Palatinate*.

But see the *French* Faith, and how well *Lewis* made good his Promise to King *James*, to render him all Offices in his own Person, whensoever King *James* should desire him: for at this time the Army being shipt at *Dover*, and put over to *Calais*, where being denied Entrance, and having no other Instructions, and wanting Provisions, they lay neglected at Sea; and in this Distress a Pestilence rag'd among them, so that they were forced to fail to *Zealand*, where having no Orders, they were denied Landing there: and this being the most terrible Season of the Year, in *December*, what by Hunger, Cold, and Pestilence, above two thirds of them perished, before Leave could be obtained to land them in *Holland*; so that they never did the King of *Spain* near so much Hurt, as they had done in *England* before they were shipt, living upon Plunder and Free-Quarter.

These were sad Prefages of future Happiness from the designed Marriage, yet these things no ways compos'd the quiet Repose of our pacifick King: so as he might see his only Son married to a Daughter of *France*, was all his Business; no matter how. The Thirst (which God was his Judge, and as he was a Christian King, he had contracted, equal to that of the wayfaring Man in the Desarts of *Arabia*, and in danger of Death for want of Water) for the good Success of the Parliament, is now assuaged by the granting of three Subsidies and three Fifteenths: Here's no mention of marrying his only Son with the Tears of his only Daughter; and he is still ready, with the Lives of his Subjects, and his

own, to assist the most High, most Excellent, and most Puissant Prince, his most dear, and most beloved Brother, Cousin, and ancient Ally, *Lewis*.

The Managers of this Treaty were, *Hay* a Scots-man, created Earl of *Carlisle*; and the Lord *Kensington*, for the more Honour of it, created Earl of *Holland*; two of the King's Favourites of the second Rate, but who bare no proportion to the Sagacity, Wisdom, and Integrity of the Earl of *Bristol*. *Bristol* was all Heart of Oak, and would not bend to *Buckingham's* Pride and Ambition; but they were Willows, that were liable to every Nod and Wind of *Buckingham's* Breath.

But how comes *Buckingham*, who must have an Oar in every Boat, to be absent from this Treaty? The Reason was, tho he were not wise, yet he was jealous, lest King *James*, in his Absence, should hear *Bristol* against him, as the King had promised, as well as he had heard *Buckingham* against him; which was so dangerous a Rock, as our Land-Admiral would not venture to run against.

Notwithstanding all this Haste for consummating this desired Marriage, the Thread of the King's Life was spun out before; for upon the 27th of March, Ann. 1625. he died at *Theobalds*, in the 58th Year of his Age, having reigned twenty two Years complete. Having had an Ague, the Duke of *Buckingham* did upon Monday the 21st before, when in the Judgment of the Physicians the Ague was in its Declination, apply Plaisters to the Wrists and Belly of the King, and also did deliver several quantities of Drink to the King, tho some of the King's Physicians did disallow thereof, and refused to meddle further with the King, until the said Plaisters were removed; and that the King found himself worse hereupon, and that Drougths, Raving, fainting, and an intermitting Pulse, followed hereupon; and that the Drink was twice given by the Duke's own hands, and a third time refused: and the Physicians, to comfort him, telling him, that this second Impairment was from Cold taken, or some other Cause; No, no, said the King, it is that which I had from *Buckingham*. I confess, this was but a Charge upon the Duke, upon the Impeachment of the Commons, as you may read in *Rushworth*, fol. 355, 356. yet it was next to positive Proof; for King *Charles*, rather than this Charge should come to an Issue, dissolved the Parliament, which was a Failure of Justice, tho the Commons had voted him four Subsidies, and four Fifteenths, before it was passed into an Act.

The Character of King James.

He was the first of that Name King of *England*, and the first King of the whole Isle of *Britain*, and the first King, since *Henry* the first, that was born out of the Allegiance to the King of *England*, and was the first (at least since *Rich. 2.*) that affected and endeavoured to introduce an *Arbitrary Power* in *England*, foreign to the Laws and Constitutions of it; and in all his Reign was more governed by Flatterers and Favourites, than by the Advice of his Parliament, or a wise Council.

His Flatterers and Favourites seldom spake of him but under the Appellation of *Most Sacred*, rarely I think or never before used to any of the Kings of *England*; and of the *Solomon* of the *Age*, though never were two Kings more unlike, unless it were in their Sons, *Charles* and *Rehoboam*: for *Solomon* died the richest of all the Kings of the World, King *James* the poorest; *Solomon* was inspired above all other Kings with Wisdom, and his Proverbs Divine Sentences, for Improvement of Virtue and Morality; whereas this King's Learning, wherein he and his Flatterers so much boasted, was a Scandal to his Crown: for all his Writings against *Bellarmino* and *Ivon*, of the Papal Power of King-Killing and King-Deposing, were only Brawls and Contentions, and no Learning on one side or the other: A Power disclaimed by our Saviour when the Devil would have given him it; and denied any such Power in this World, even when the *Jews* were ready to crucify him, *John* 18. 36.

And as there were no Reasons for these Brawls, so was the End of them, Arrogance on the Popish Part, to impose a foreign Power or Jurisdiction upon the King and Kingdom, and as foolish on the King's Part, it being exploded by the Nation, and under the severest Penalty, the asserting such a Power prohibited; and how could the King by his Writings further secure himself and the Nation against it?

But it seems the King was in this more zealous for himself and the Preservation of his *Inherent Birth-right* to the Crown of *England*, than for the Honour of God and our Saviour, against the Pope's Usurpations other ways; for in his Speech at the Opening the first Parliament of his Reign, he calls the Church of *Rome* a true Church, and our *Mother-Church*, and if they would lay aside their King-killing and King-deposing Doctrine, and some Niceties, (but names them not) he was content to meet them mid-way.

Does not the Pope exalt himself above God, and is *Antichrist*, in forbidding the Laity the Cup in the partaking the Sacrament of *Christ's* last Supper? If any Man makes a Question of it, I'll demonstrate

monstrate it by a better Syllogism, than can be made up of *Aristotle's Analyticks*.

For whosoever shall forbid what another commands, exalts himself above that other.

But the Pope forbids the Drinking of the Cup at the Sacrament to the Laity who are Christ's Members as well as the Priests.

And our Saviour commands the Cup with an Emphasis, *Drink ye All of it*.

Therefore the Pope exalts himself above our Saviour, and is Antichrist; which was to be demonstrated: and this Mutilation makes this the Pope's, and not a Sacrament of our Saviour's Institution.

C O R O L L A R Y.

By the same Reason, I say, the Pope exalts himself above God, in forbidding Marriage to the Priests.

For Marriage is an Institution of God in Paradise, *Gen. 2.* and commanded by God, *Gen. 9. 1.* and the Pope forbids the Marriage of Priests; which St. *Paul* says is the Doctrine of Devils: and it's worthy Observation, that the Pope makes Marriage to be a Sacrament, yet denies it to Priests; and our Saviour commands the Cup in the Sacrament of his last Supper to be drunk by all, yet this is denied the Laity, and only allowed to Priests.

I say Pope *Julius* the 2d in dispensing with *Henry* the 8th to marry his Brother *Arthur's* Wife, exalted himself above God.

For whosoever shall dispense with, or allow what another forbids, exalts himself above that other.

But *Julius* dispensed with *Henry's* Marriage of his Brother's Wife.

And God forbids the Marriage of a Man's Brother's Wife, *Lev. 18. 16.*

Therefore *Julius* exalted himself above God, which was to be demonstrated.

It's true, I do not find the Marriage of a Man's Sister's Daughter particularly forbidden by the *Levitical* Law; yet by the 17th verse it is by inference forbidden, and is abhorrent to Nature: So that when *Cambyfes* asked the *Magi*, if it were not lawful to marry his Sister's Daughter, they told him it was not; yet like Flatterers, they told him he might do what he pleased; and *Platina* (I think it is in the Life of Pope *Boniface* the 5th, or *Honorius*) exclaims against the Emperor *Heraclius* his marrying his Sister's Daughter, as an Impiety scarce ever heard of: yet three Popes successively dispensed with *Philip* the 2d, *Philip* the 3d, and *Philip* the 4th, Kings of *Spain*, marrying with their own Nieces, viz. their Sisters Daughters.

It were endless to enumerate the Doctrines of the Church of Rome, how dishonourable they are to God, and his sacred Laws. I'll give Instances only in two: 1. Their *Invocation of Saints* after Death, many of which are of their own making, thereby attributing to them a concurring Power with God, in his Omniscience, which is a robbing God of his Honour; and if Saints after Death be not Omniscient, it were in vain to pray to them.

The other is dispensing with Mens Promises and their own, tho they have bound themselves to the Performance of them by an Oath; whereby the Popes render themselves Enemies of Mankind, and Humane Society: for these are founded in Truth, and Mens mutual Performance of their Promises. That this for several hundreds of Years hath been practised by the Popes upon those Princes and Subjects, whom they please to call *Hereticks*, (when the Popes are greater) is well known to those conversant in their Histories: I'll give but one Instance of the Liberty the Popes take to themselves herein.

Upon the Death of Pope *Marcellus 2d*, Ann. 1555. the Cardinals in the Conclave, before they proceed to the Election of another Pope, mutually swore, That whosoever should be chosen, should call a Synod in six Years, and not make more than 4 Cardinals in two Years after the Election, and *Paul* the 4th was chosen. See the *Council of Trent*, Anno 1555.

Some small time after this Election, *Paul* entred the Conclave, to declare his Intentions of a Promotion of Cardinals; and the Cardinal of *St. James's* pressed to him, and put him in mind of his Oath before his Election: but the Pope thrust the Cardinal back, and told him, *This was to bind the Pope's Authority; that it is an Article of Faith, that the Pope cannot be bound, much less bind himself; that to say otherwise was manifest Heresy, from which he did absolve those who spake it, because he thought they did not speak obstinately; but if any should say the same again, he would give Order the Inquisition should proceed.* And this being spoken in the Conclave, was in *Cathedra*, and infallible, and never since retracted by him, or any other Pope. These are the Heresies in the Church of Rome, for which Men must be slaughtered and burnt, and for not believing them against the Evidence of a Man's Senses to the contrary, and against the Nature of a Sacrament, That the Bread and Wine in the Sacrament after Consecration, is Christ's organical Body and Blood: This is that true and Mother-Church which the King would meet mid-way, if it would let him and his *Inherent Birth-right* alone.

This is that Prince who to prosecute these Brawls, and to wallow in sensual Pleasures, neglected the foreign and domestick Affairs of his Kingdom; only Great in making himself little, and not beloved at home, and contemptible and dishonoured abroad.

A Prince who squandered away the sacred Patrimony of the Crown amongst Flatterers and Favourites, thereby becoming not able to maintain the Honour of the Nation abroad; and neglecting the Encrease and Repair of his Navy-Royal, not only rendred the Nation in an unsettled and dangerous Peace at home, but notwithstanding the Treaty with the *Dutch* for Licence to fish upon the Coasts of *England* and *Scotland*, suffered them with Men of War to guard their Fisheries, and to do it whether he would or not. A Prince, that by his dissolute Life, and prophane Conversation, debauched and effeminated the *Genius* of the *English* Nation, whereby it became more scandalized for Swearing and Drinking, than in any Age before. A Prince that broke all the Measures by which *Hen. 8.* and *Queen Elizabeth* were the Arbitrators of *Christianity*. A Prince fearful of all his Enemies abroad, while he was only great by exercising a Tyrannical Arbitrary Power over his Parliaments and Subjects, who could only have made him great abroad, and honoured at home; whereby he became little beloved at home, and suffered the *Dutch* to redeem their Cautionary Towns upon their own Terms, and to dispossess the *English* at *Amboyna*, and their other Factories in the *East-Indies* and *Africa*. He only stood still looking on, while the *French* upon the Matter suppressed the *Reformed* in *France*; and suffered *Ferdinand* the 2d to over-run, and near subdue the *Protestant* Princes in *Germany*, as well as his own Son-in-law: And tho he were the 6th of that Name, King of *Scotland*, from *John*, alias *Robert Stuart*, the Son of *Robert Stuart*, by his Paramour *Elizabeth Moor*; yet if *Sir James Melvil* says true, that *Cardinal Bethoun* poisoned *James* the 5th, he was the first of that Name who died a natural Death, if he did so; for *James* the first was murdered by his Uncle the Earl of *Arbuthnot*, his Grand-father's legitimate Son, in his Queen's Arms, with eight and twenty Wounds, the Queen receiving two to defend him. This was in the Year 1436.

James the II. was killed by the breaking of a Piece of Cannon, while he besieged the Castle of *Roxburgh*, the 3d of *Aug.* 1460.

James the III. having his Army routed by an Army headed by his Son *James*, was killed at *Bannoch-Burn*, by the Lord *Gray*, and *Robert Sterling* of *Ker*, after *Sir Andrew Brothick*, a Priest, had shaven him. This was in 1488.

James the IV. was killed the 9th of *December* 1514, at *Flodden-field*, by the *English* commanded by the Earl of *Surrey*, and his Body never found: and if *James* the 5th was poisoned, then none of these *Jameses* died a natural Death, neither did King *James* his Mother, being put to death *Ann.* 1587, for conspiring the Death of *Queen Elizabeth*.

After the Dissolution of the *Spanish Match*, the King as greedily prosecuted the *French*; and tho he lived not to see it settled,

Yet he saw the Army raised under Count *Mansfield*, for the Recovery of the *Palatinate*, ruined by trusting to the *French Faith* in this very Treaty. When he died, he not only left an empty Exchequer, but a vast Debt upon the Crown, yet was engaged in a foreign War; and the Monies given by the Parliament for carrying it on, were squandered away in carrying on the *French Treaty*, and the Nation imbroiled in intestine Feuds and Disorders.

At his Death he left a Son and Heir, and one Daughter: Before he died he saw his Son over-ruled by his Favourite, against his determinate Will and Pleasure, and the Prince's own Honour and Interest; which was a great Mortification to him, and which he often complained of, but had not Courage to redress: and so strongly was the Favourite possessed of his Power over his Son, in the King's Life, that the Prince little regarded his Father's Precepts, or the Counsels of any else, after his Death; whereby he encreased the Internal Feuds, Jealousies and Discords of the Nation, which ended in a sad *Catastrophe*, both of the Favourite and the King.

At the King's Death, his Daughter, with her Husband, and her many Children, were driven into Exile and Poverty in the Dominion of the *Dutch States*, where they were more relieved by the *States*, the Prince of *Orange*, and some Bishops and Noblemen of *England*, than by either of the Kings, Father, or Son.

A
DETECTION
OF THE
Court and State of *England*,
During the Reign of
King *CHARLES I.* &c.

BOOK II.

CHAP. I.

*This Reign detected to the Dissolution of the
Parliament, Tertio Car.*

TWAS a strange Reign this : As this King's Father's Reign was introduced with a horrible Plague, so was this King's with a greater, and such as no Records of any Times before mention the like : The first 15 Years of his Reign were perfectly *French*, and such as never before were seen, or heard of in the *English* Nation: this brought on a miserable War in all the three Kingdoms of *England*, *Scotland* and *Ireland*, and Destruction upon the King, whenas it was not in the Power of those which first raised the War against him to save his Life, which they would have done. *Baptista Nani*, in the sixth Book of the History of *Venice*, An. 1625, f. 221, observes, That after the Marriage of King *Charles* with the Daughter of *France*, the Interest of State, or rather the Passion of Favourites, converted the Bonds of Affection into Causes of Hatred : *Europe* in those times

times reckoned it amidst its unhappy Destiny, that the Government of it fell upon three young Kings, yet in the Flower of their Age, Princes of great Power, desirous of Glory, and in Interest contrary; but in this alone by *Genius* agreeing, that they committed the Burden of Affairs to the Will of their Ministers: for with equal Independency, *France* was governed by *Richlieu*, *Spain* by *Olivares*, and *Great-Britain* by *Buckingham*, confounding Affections with Interest, as well publick as private. Betwixt the Cardinal and *Buckingham* open Animosities discovered themselves, for Causes so much more unadvised, as they were more hard to be known.

When King *James* died, the Nation was rent into four Parties, viz. The *Prerogative*, which exalted the King's divided Will from the Laws and Constitutions, above his *Royal* and *Legal* Will: The *Country*, or *Legal* Party, which stood for the Legal Establishment of Church and State; and the *Puritan*, and *Popish* Parties. After the Treaties of Marriage between the Prince and the Daughters of *Spain* and *France*, the *Popish* and *Prerogative* Parties joined for carrying on the Court-Designs; and were opposed by the *Country* and *Puritan* Parties; and as the *Prerogative* and *Popish* Factions grew more insolent, so the *Puritan* Party gathered Strength and Reputation among the *Vulgar* or *ordinary* People, insomuch that in Number they became more than all the other three. We shall take a better View of this Reign, if we look a little back into the former.

After the Treaty of the Match with *Spain* was broken off, King *James* was perplexed what to do, he had neither Money nor Courage to make War for the Recovery of the *Palatinate*; and the Wounds which he had given the last Parliament, by Imprisoning their Members for advising him to make War for the Recovery of the *Palatinate*, were yet fresh and bleeding; and yet *Buckingham*, whom he durst not offend, not content to satisfy his Spite against *Olivares*, by breaking off the Match, was, notwithstanding all Difficulties, nay Impossibility of Success, still pushing on the King to declare War against the King of *Spain*.

The King thereupon referred this Business to my Lord Keeper *Williams*, my Lord Treasurer *Cranfield*, the Duke of *Richmond*, Marquess *Hamilton*, the Earl of *Arundel*, the Lord *Carew*, and the Lord *Belfast*; who all agreed, that they could not say that the King of *Spain* had done the part of a Friend in the Recovery of the *Palatinate*, as he had professed; nor could find that he had acted the Part of an Enemy declaredly, as the Duke objected: and indeed my Lord Keeper's Reasons against the War governed all the rest, that saw no Expediency for War upon the Grounds communicated by *Buckingham*. And 'twas more observable, that during the whole Treaty, while *Buckingham* was in *Spain*, the

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Business of the *Palatinate* was never mentioned ; and now he is come out of it, it must be the Cause of a War with the King of Spain.

The Keeper's Reasons were, *Upon whom shall we fall ? Either upon the Emperor, or King of Spain : the Emperor had in a sort offered the King his Son-in-Law's Country again for Payment of a great Sum of Money, in recompence of Disbursements : but where was the Money to be had ? yet it might be cheaper bought than conquered before a War was ended. For the King of Spain, he saw no Cause to assault him with Arms : He had held us indeed in a long Treaty to our Loss, but he held nothing from us ; and was more likely to continue the State of things in a State of Possibility of Accommodation, because he disliked the Duke of Bavaria's Ambition, and had rather stop the Enlargement of his Territories.*

The King embraced this Advice ; nor did he stay here (yet did not stay long) but spake hardly of *Buckingham*, who would have put him upon making War upon the King of Spain ; and the King's Censure upon him was so bitter, (*Cabal*, Page 92.) that it was fit to be cast over-board in Silence, says the Bishop of *Litchfield*, f. 169, 170. tit. 175.

This Resolution of the Council was so little to the Duke's Satisfaction, that the Bishop says in the same *Tit.* that it made the Duke rise up, and chafe against them from Room to Room, as a Hen that had lost her Brood, and clucks up and down when she has none to follow her : Nor did the Duke stop here, but notwithstanding the fierce Anger of the King, and his not answering one of the Keeper's Reasons, he appealed from the Judgment of the Council to the Parliament : Sure he durst not have done this, if he had not been sure of the Prince to second him against the Opinion and Anger of his Father.

This was the third inexpressible Crime the Keeper had committed against the Duke : the first was his Advice to the Duke, when he was in Spain, to hold a good Correspondence with the Earl of *Bristol*, and *Olivares* ; but finding the contrary, by a Letter to the Duke of the 28th of *June*, which you may read in the Bishop of *Litchfield's* Life of Bishop *Williams*, fol. 136. tit. 146. and another of the 22d of *July*, tit. 155. fol. 147. where he in gentle manner informed the Duke, as from the King himself, how zealous the King was, not only of fair Terms between the Duke and Earl, but of a nearer Alliance. This was such a piece of Impudence in the Keeper, that the Bishop says in the next *tit.* that it removed the Duke's Affections from the Keeper for ever ; nor could this State-Minister contain his Displeasure, but wrote to my Lord *Mandevile*, that the first Action he would imbarque himself in, when he came home, should be to remove the Keeper out of his Place. And the next Crime of the Keeper, was, The

The Duke was afraid of his Wit. See the Bishop, *tit.* 156.

However, this Counsel took such Effect with King *James*, and he was so satisfied that he had no Colour of Title to make War against the King of *Spain*, that when the Parliament after gave him three Subsidies, and three Fifteens, for the Recovery of the *Palatinate*; and when he had raised an Army of 10000 Foot and 2000 Horse to be commanded by Count *Mansfield*, the King not only made it a Condition, that *Mansfield*, with the Army, should not commit any Hostility against any of the *Dominions*, which by Right appertained to the King of *Spain*, or the *Infanta Isabella*, Princess of the *Low Countries* (or the *Spanish Netherlands*) and in case he did so, from that time the King was not longer to continue Payment of the Army, but also took an Oath of *Mansfield* to observe the Conditions.

So that how powerful soever the Duke was over King *James*, yet in none of these Particulars could he obtain his End; viz. in not prevailing upon the King to make War upon the King of *Spain*, nor in removing the Lord Keeper, nor in having the Earl of *Bristol* committed to the *Tower*.

After the breaking of the *Spanish Match*, it was observed that King *James's* Temper was quite so altered, that he forgot his Recreations of Hunting and Hawking at *New-Market*, but whilst he was there, he remained as in an Infirmary; and in a Fit of Melancholy, told the Earl of *Carlisle* that if he had sent *Williams* into *Spain* with his Son, he had kept Hearts-ease and Honour, both which he wanted. See the Bishop of *Litchfield*, *lib.* 1. *tit.* 174.

King *James* then began to look back upon his former Actions, in having lost the Affections of his Subjects; and now intangled in the Difficulties which he saw inevitably coming upon him, charged the Prince often, in the hearing of the Lord Keeper *Williams*, to call Parliaments often, and to continue them, tho their Rashness sometimes did offend him: That in his own Experience he never got any Good by falling out with them. See the Bishop of *Litchfield*, *lib.* 2. *f.* 16. *tit.* 16.

How well King *Charles* observed his Father's Advice in any of these; nay, how diametrically he went contrary, and contrary to all good Advice given him in the very first Year of his Reign, will soon appear, and the miserable Effects which followed.

I have heard my Father (tho not a Courtier, yet acquainted with many Courtiers) say, that they would oft pray to God that the Prince might be in the right Way where he set, for if he were in the wrong, he would prove the most wilful of any King that ever reigned.

Tho all must stoop to mighty *Buckingham*, yet that he might stand surer, who must be his only Support but *Laud*, Bishop of *Saint Davids*; who from picking Quarrels in Lectures at *Oxford*, and being an Informer before, now is become Vice-gerent to *Buckingham*?

ingham? A List of all the eminent Men for Promotion in the Church is given in; those whom *Laud* would have promoted were noted (O) for *Orthodox*, and whom he liked not were marked (P) for *Puritans*: these two stopt up both the King's Ears from any other Doctrines in Church or State, but what was infused by them; so early did King *James's* Prophecy to my Lord Keeper *Williams*, when he was so importunate to have *Laud* preferred, begin to be fulfilled. Before a Year goes about, you shall see *Buckingham* set the King at odds with the Parliament, and yet engage him in a War against *Spain*; and before another goes about, engage the King in another against *France*, to satiate his Spight and Revenge against *Richlieu*, for crossing him in his Lust; and after 13 Years, *Laud* shall be the Fire-brand to set all the three Nations in the Flame of a Civil War, as King *James* had foretold. But it's time to come to Particulars.

The first Enterprize which the Duke engaged the King in, was not for the Recovery of the *Palatinate*, as he pretended when he would have engaged King *James* in a War against the King of *Spain*; but to express his Hatred against *Olivares*: and therefore a Fleet must be rigged up, to make War in *Spain*, even when King *James's* Corps lay unburied, and at so unseasonable a time, when the Charges of King *James's* Funeral were so fast approaching, and when the Charges of the King's Ambassadors, the Earls of *Carlisle* and *Holland*, ran so high at *Paris*, to outvie the *French* Splendor, for solemnizing the Marriage between the King and the Queen; and these so much more augmented, by the Duke's Preparations to fetch the Queen over, which, when the Duke shall come to *Paris*, must outline not only the Bravery of the *English* Ambassadors, but all that Cardinal *Richlieu* could do.

From the Unseasonableness of this Expedition, let's see by what Counsels *Buckingham* managed this designed Expedition; and herein take Light from a Letter which my Lord *Cromwel* wrote to the Duke, and which you may read in *Rushworth's* Collections, fol. 199. after the Fleet had lain so long, that the Season of the Year was past, and most dangerous for Ships to put to Sea. The Letter is *Verbatim*.

They offer to lay Wagers the Fleet goes not this Year, and that of necessity shortly a Parliament must be; which, when it comes, sure it will much discontent you. It's wonder'd at, that since the King did give such great Gifts to the Dutchess of *Chevereux*, and those that went, how now a small Sum in the Parliament should be called for at such a time: and let the Parliament sit when it will, begin they will where they ended. They say, the Lords of the Council knew nothing of *Mansfield's* Journey, or this Fleet, which discontents even the best sort, if not all. They say, it is a very great Burden your Grace takes upon you,

you, since none know any thing but you. It's conceived, that not letting others bear part of the Burden you now bear, it may ruin you, (which Heavens forbid). Much Discourse there is of your Lordship, here and there, as I passed home and back; and nothing is more wonder'd at, than that one grave Man is not known to have your ear, except my Good and Noble Lord Conway. All Men say, if you go not with the Fleet, you will suffer in it; because if it prosper, it will be thought no Act of yours; and if it succeed ill, it might have been better if you had not guided the King. They say, your Undertakings in this Kingdom will much prejudice your Grace: and if God bless you not with Goodness, to accept kindly what in Duty and Love I offer, questionless my Freedom of letting you know the Discourse of the World, may prejudice me. But if I must lose your Favour, I had rather lose it for striving to do you good, in letting you know the Talk of the wicked World, than for any thing else; so much I heartily desire your Prosperity, and to see you trample the ignorant Multitude under foot. All I have said is the Discourse of this World; and when I am able to judge of Actions, I will freely tell your Lordship my Mind, which when it shall not always incline to serve you, may all my noble Thoughts forsake me. The Success of this Expedition you will hear soon.

Thus was the King of Spain required for all the noble Favours he had shewn the King when he was in Spain. This was the Return of Buckingham's Protestation to the King of Spain, when they parted at the *Escorial*, [That he would be an everlasting Servant to the King of Spain, the Queen, and the *Infanta*, and would do the best Offices he could for concluding the Business (the Match between the Prince and *Infanta*) and strengthen the Amity between the two Kingdoms] to have War made upon him, without any Declaration of it by King Charles, so soon as it came in his Power to do it.

After Buckingham became Lord Admiral, the *English* Navy lay at Road unarmed, and fit for Ruin, as you may see in *Rushworth*, fol. 3. This was before the Treaty of the *Spanish* Match; and after the breaking of the *Spanish* Match, the Duke not only neglected the guarding of the Seas, whereby the Trade of the Nation not only decayed, but the Seas became ignominiously infested by Pyrates and Enemies, to the Loss of very many of the Merchants and Subjects of *England*; as you may read in the Fourth Article of the Charge of the Commons against him, in *Rushworth*, fol. 312.

Objection. But this was but an Accusation, and therefore it does not amount to a Proof.

It ought not to be presumed, the Commons would have charged this upon him without Proof; and I say it is strong Proof upon the Duke, since the King dissolved the Parliament rather than the Duke should come to a Trial upon it.

How

However, the Navy lay thus neglected, and Seas unguarded; and tho the *French* had broken the Treaty of Marriage with *France*, by not suffering *Mansfield* to land his Army at *Calais*, yet the supplying the *French* with a Fleet to subdue the *Rochellers*, must be performed: And to this end, even whilst King *James* lay unburied, great Consultation between the Duke and the Marquis of *Effiat* was had how this might be done. The King had no Men of War ready, but the *Vaunt-Guard*; and the *French* Necessities were urgent, for all this while *Sobiesz* rode triumphant at Sea, the *French* not being able to encounter him; and thereby *Rochel* upon all Occasions was relieved by Sea.

However, the *French* must be gratified, or this hopeful Marriage with *France* might be disturbed: The Duke therefore, by his Power of Lord Admiral, besides the *Vaunt-Guard*, pressed 7 Ships, of the Merchants of *England*, into the King's Service; viz. The Great *Neptune*, whereof Sir *Ferdinando Gorge* was Captain; the *Industry*, of 450 Tuns, whereof *James Moyer* was Captain; the *Pearl*, of 540 Tuns, whereof *Anthony Tench* was Captain; the *Marigold*, of 300 Tuns, whereof *Thomas Davis* was Captain; the *Loyalty*, of 300 Tuns, *Jasper Dare* Captain; the *Peter and John*, of 300 Tuns, *John Davis* Captain; and 7thly, the *Gift of God*, *Henry Lewen* Captain.

The Duke, tho the Navy were unprovided with Stores and Ammunition, could find Stores and Ammunition sufficient for furnishing this Fleet; and upon the 8th of *May* caused a Warrant under the Great Seal to be issued, to call the Companies aboard which had been raised for the *French* Service, with the first Opportunity to go to such a Port as the *French* Ambassador should direct, and there to expect Directions.

But see the Diffimulation and Hypocrisy of the Duke and *French* Ambassador *d'Effiat*; for all this while they gave out, that this Fleet should not be employed against the *Rochellers*, but against *Genoua*, which it seems took part with the King of *Spain* against the *French* King's Allies in *Italy*; and that Vice-Admiral *Pennington* should not take in any more *French* into any of the Ships of this Fleet, than the *English* could master. These were the Instructions which the Duke communicated to the Council; and with these *Pennington* failed to *Diep*.

But when the Fleet arrived at *Diep*, the Duke of *Momerancy*, Admiral of *France*, would have put 200 Men into the *Industry*, and offered the like to every one of the other Ships in the Fleet, telling them, they were to fight against the City and Inhabitants of *Rochel*; with a Proffer of Chains of Gold, and other Rewards, to all those Captains, Masters, and Owners, which should go in this Service: which they all, with one Consent, rejected, and subscribed their Names to a Petition to *Pennington* against it; whereup-

on *Pennington*, with the whole Fleet, returned into the *Downs*, and from the *Downs Pennington* wrote a Letter to the Duke, by one *Ingram*, who saw the Duke read it, together with the last Petition; and by *Ingram*, *Pennington* became a Suitor to the Duke to be discharged of this Employment.

This put the Duke and *French* Agents to their Trumps, how to retrieve their Game; and tho all these Transactions were concealed from the King and Council, yet the Protestants in *France* had got Knowledge of this Design, and the Duke of *Rohan*, and Protestants of *France*, by *Monsieur de la Touche*, solicited the King and Council against this Design, and had good Words and Hopes from both: But *Buckingham* told *de la Touche*, the King his Master was obliged, and so the Ships must and should go.

But there was another Obstacle to be removed, or this worthy Design was at a full Stop. The Duke had impress and hired the seven Merchants Ships upon the King of *England's* Account, and for his Service, and so they could not be passed into the *French* Hands, without a new Agreement with the Owners: Hereupon his Grace was pleased to take a Journey to *Rocheſter*, to settle the Agreement, which must be as the *French* Ambassadors would, whether the Owners of the Ships would or not. I will be particular herein, not only to shew what a Minister of State *Buckingham* was, or what Reliance there was upon his Word or Honour, but more especially, for that the Ruin not only of the whole Interest of the Reformed of *France* was a Consequence of this Action, wherein the Mercenary *Dutch* State conspired also with the Duke; but it was the Foundation upon which the *French* Naval Grandeur was built, as well to the Terror of *Chriſtendom*, as of *England* at this very Day.

My Lord *Conway* was the Duke's Nanny, and tho principal Minister of State by the Duke's Promotion, yet made the Office to bend which way soever the Duke nodded: This Lord *Conway* directed a Letter upon the 10th of *July* 1625. as from the King, to Vice-Admiral *Pennington*, whereby he took upon him to express and signify to him, that his Master had left the Command of the Ships to the *French* King, and that *Pennington* should receive into them so many Men as the *French* King pleased, for the time contracted for (*viz.* six Months, but not to exceed eighteen) and recommended his Letter should be his sufficient Warrant. This Letter was delivered by one *Parker* to *Pennington* in the *Downs*; and the *English* Merchants had constituted one *James Moyer* and *Anthony Touchin* to treat with the *French* Ambassadors (which were the Duke of *Chevereux*, *Monsieur Vollocleer*, and the Marquis of *Effiat*); and at *Rocheſter* the Duke sent back a Letter to *Moyer* and *Touchin*, to come and treat with the *French* Ambassadors, to settle Business about the Delivery up of their Ships and Fraights, into the Power of the *French* King.

The

The Propositions which the *French* Ambassadors made to *Moyer* and *Touchin*, were,

1. That the *English* Captains, and their Companies, should consent and promise to serve the *French* King against all, none excepted but the King of *Great Britain*, in Conformity to the Contract formerly passed between *D'Effiat* and them.

2. That they should consent and agree, in consideration of the Assurance given them by the Ambassadors, to the Articles of the 25th of *March* before, (which you may read in *Rushworth*, fol. 328.) whereby the *French* King should be Master of the said Ships by indifferent Inventory, and that they, by him, should be warranted against all Hazards and Sea-fights; and if they miscarried, then the Value of them to be paid by the *French* King, who would also confirm this new Proposition within 15 Days after the Ships should be delivered to his Use, by good Caution in *London*.

3. That if the *French* King would take any Men out of the Ships, he might; but without any Diminution to the Freight, for or in respect thereof.

To these, *Moyer*, in the behalf of the Merchants, answered, 1. That their Ships should not go to serve against *Rochel*. 2. That they would not send their Ships without good Warrants. 3. Nor without sufficient Security, to their liking, for the Payment of their Freight, and Rendition of their Ships, or the Value thereof: for the Ambassadors Security was by them taken not to be sufficient, and they protested against it, and utterly refused the perassetted Instrument. Hereupon Sir *John Epsley* and Sir *Tho. Dove* dissuaded the Duke from this Enterprize, telling him, he could not justify nor answer the Delivery of the Ships.

However, *Buckingham's* Dictatorship would not admit of Justice or Reason, but he commanded *Moyer*, and the rest, that they should obey the Lord *Conway's* Letter, and return to *Diep*, to serve the *French*, and that so was the King's Pleasure, (tho the King told the Duke of *Rohan's* Agent, *de la Touche*, otherwise); yet privately, at the same time, the Duke told them, that the Security offered by the Ambassadors was sufficient, and that tho they went to *Diep*, they might, and then should keep their Ships in their own Power till they had made their own Conditions.

Hereupon, the Duke of *Chevereux* and *Vollocleer* constituted *D'Effiat* their Deputy, to treat with the Merchants at *Diep* for the Delivery of their Ships into the *French* Power; but with him the Duke sent Mr. *Edward Nicholas*, his Secretary, with Instructions, by word of Mouth, to execute the King's Pleasure by my Lord *Conway's* Letter, for putting the Merchants Ships into the *French* Power, upon the Conditions perassetted at *Rocheſter* by the three

French Ambassadors. But the Captains of the Ships refused to submit to the Conditions, tho Mr. *Nicholas*, in the King's Name, from Day to Day threatned them, and vehemently pressed them to deliver up their Ships upon the former Propositions.

Hereupon *D'Effiat* (to have further Instructions from the Duke) entred into a new Treaty with the Merchants, and like a *French Merchant*, got Letters to be sent into *England*, that the Peace was concluded with those of the Religion in *France*, and that within 14 Days the War should break out in *Italy*, with a Design upon *Genova*, a matter of great Importance against the *Spaniard*. Hereupon the Duke procured the King to write a Letter to *Pennington*, dated July 28. to this effect.

HIS Majesty did thereby charge and command Captain *Pennington*, without delay, to put his Highness's former Command in Execution, for consigning the *Vaunt-Guard* into the hands of the *Marquis D'Effiat* for the *French*, with all her Furniture, assuring her Officers, his Majesty would provide for their Indemnity: And to require the other seven Ships, in his Majesty's Name, to put themselves into the Service of the *French King*, according to the Promise his Majesty had made to him: And in case of Backwardness or Refusal, commanding him to use all forcible means to compel them, even to sinking; with a Charge not to fail; and this Letter to be his Warrant.

This Letter was deliver'd to *Pennington* in the Beginning of *August*, by Captain *Wilbraham*: Hereupon *Pennington* went back out of the *Downs*, carrying with him the said Letters, and certain Instructions in Writing from the Duke to his Secretary *Nicholas*: And about the time *Pennington* returned to *Diep*, *Nicholas* threatned the Captains of the Ships, and told them, it was as much as their Lives were worth, if they deliver'd not up their Ships to the *French*; whereupon some of them would have come away, and left their Ships, and fled into *Holland*.

Upon *Pennington's* coming to *Diep*, he delivered the *Van-Guard* absolutely into the *French Power*, to be employed as they pleased, and acquainted the rest of the Captains with the King's Command, that they should likewise put their Ships into the *French Power*; which they all refused to do, unless they might have good Security for the Delivery of their Ships, or Satisfaction for them.

Hereupon *Pennington* went on Shore, and spoke with *D'Effiat*, and upon his Return told the Captains, they must rely upon the Security peraffetted in *England*; whereupon the Captains weighed Anchor, and prepared to be gone: upon which Captain *Pennington* thot at them, and forced them all to come to an Anchor again, except the brave Sir *Ferdinando Gorge* in the *Neptune*, more brave in running away from this abominable Action, than charging into the midst of an Enemy.

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When the Captains came a-shore, they spoke with Mr. *Nicholas*, who enforced them to come to a new Agreement, which you may read in *Rushworth*, fol. 335. and to deliver up their Ships into the French Power; but not one of them would take the French Pay in the Expedition, but one Gunner, who was at his Return kill'd in charging of a Cannon, not well spunged by him; and the Duke's Secretary *Nicholas* had a Diamond Ring, and a Hat-band set with Diamond-Sparks, given him by the French Ambassador, for his pains taken in this noble Employment.

This was the second noble Design of this grand Minister of State *Buckingham*, whilst King *James* lay unburied: we will now proceed to the third; wherein you'll see how well *Richlieu* requited *Buckingham's* Service, in accommodating the French with a Fleet to subdue the *Rochellers*.

Tho the Duke did not personally manage the Treaty of the French Marriage at *Paris*, as he did the Spanish at *Madrid*, for the Reasons aforesaid; yet none but he, now the whole Treaty was consummate, and so firmly performed on the English part, must fetch the Queen to the King: and when all the mighty Preparations for the Magnificence of this mighty Duke were compleated, away he hies to *Paris*, where he arrived the 24th of May, and there he staid the full term of seven Days, wherein he performed more wonderful Exploits than he had done in so many Months before at *Madrid*. And these we will take from the noble *Nani*, who was out of the Reach of *Buckingham's* Envy, or Flattery of the English Court, and as near as I can, in his own Words, Anno 1625. fol. 221, 222.

Buckingham being in France to carry back Charles's Bride, it seemed, that in the free Conversations of that Court, he had taken the Boldness to discover something of his Inclination to the Queen, whilst the Cardinal was inflamed with the same Passion, or rather feigned to be so, with Aversion in her, who with Vertue equal to the Nobleness of Blood, equally despised the Vanity of the one, and abhorred the Artifices of the other: (I think *Nani* herein was mistaken, as will soon appear.) Whereupon the Factions arising among the Ladies of the Court were not so secret, but the King was obliged to make a Noise, and banish some; but the Contention between the two Favourites was for Power, and *Richlieu*, who by reason of the Favour of the King in his own Kingdom prevailed in Authority, procured *Buckingham* many Mortifications and Disgusts: The other was no sooner arrived at London with the Bride, but to make a shew of Power not inferiour, by ill using her thought to revenge himself. The Catholick Religion served for a Pretext, whilst the Family brought out of France, according to Contract of Marriage, practised it: whence Disgusts brake forth to such a degree, that the Minds of the Spouses being alienated, and Af-

Jeſſions between the Crowns themſelves diſturbed, it looked as if Diſcord had been the Bride-maid at that Wedding. You'll hear more of this hereafter.

It's obſervable, when Humour, not Counſel, governs Actions, how it runs into the contrary Extreame. King *James*, in Confidence of being ſupplied of all his Wants by the *Spaniſh Match*, in great Diſpleaſure broke up the Parliament in the 18th Year of his Reign, and imprifoned many of the Members, for preſuming to adviſe him againſt it; and this King expected the Parliament ſhould make good all the Duke's Extravagancies, for the Tale which the Duke told in Parliament, the 21 *Jac.* for breaking off the *Spaniſh Match*, when he kept back the Earl of *Briſtol*, as you heard before, from making his Defence, and proving the contrary of what *Buckingham* had told.

And ſo confidently was the King poſſeſſed that that Parliament continued in the ſame Mood, that I have heard one of Sir *Edward Coke's* Sons ſay, that tho when King *Charles* came to the Crown Sir *Edward* would have waited upon him in Teſtimony of his Duty and Service, the King would not admit him into his Preſence, yet the King ſent to know of him, whether he might continue this Parliament, notwithstanding the King's Death; which Sir *Edward* ſaid could not be, for that upon the King's Death the Diſſolution followed: yet upon the Election, not ten of the old ſurviving Members but were choſen again.

This Parliament met upon the 18th of *June* 1625. where the King laid open to them, that the Buſineſs he called them for was, that whereas they had adviſed him to break off the two Treaties, which were for the *Spaniſh Match*, and Recovery of the *Palatinate*, and that his Father being thereby engaged in a War for the Recovery of the *Palatinate*, they would now aſſiſt him in the carrying of it on. The Speech you may read in *Ruſhworth*, fol. 175, 176.

But Mr. *Ruſhworth* is miſtaken, and I wonder *Nalſon* and *Franklin* took no notice of it, that my Lord Keeper *Coventry* did ſecond it; for it was my Lord Keeper *Williams*, whoſe quaint and learned Speech you may read in the ſecond Book of the Life of the Keeper, by the Biſhop of *Litchfield*, fol. 9, 10. Nor was *Williams* diſplaced till the 23d of *October* following, as you may ſee fol. 27.

The Commons, before they enter'd upon Grievances, Sir *Edward Coke* moving it, to ingratiate themſelves with the King, voted him two entire Subſidies; and the laſt Parliament, but the Summer before, gave his Father three Subſidies and three Fifteens, which were more than ever any Parliament granted the King in threefold the time before. But that we may better look forward, look a little back.

King

King *James* upon the Breach of the *Spanish Match*, put forth a Proclamation for putting the Laws in Execution against *Popish Recusants*; but upon the first of *May*, King *Charles* sent this Warrant to my Lord Keeper *Williams*.

Charles Rex,

Right Reverend, and Right Trusty, &c. Whereas we have been moved, in Contemplation of our Marriage with the Lady *Mary*, Sister of Our dear Brother, the Most Christian King, to grant to Our Subjects, Roman Catholicks, a Cessation of all and singular Pains and Penalties, as well Corporal as Pecuniary, whereunto they be subject, or any ways may be liable by any Laws, Statutes, Ordinances, or any thing whatsoever, or for or by reason of their Recusancy or Religion, in every Matter or thing concerning the same: Our Will and Pleasure is, and we do by these Presents authorize and require you upon the Receipt hereof, That immediately you do give Warrants, Order and Directions, as well unto all our Commissioners, Judges, and Justices of the Peace, as also unto all other our Officers and Ministers, as well Spiritual as Temporal, respectively to whom it may appertain, that they, and every of them do forbear all, and all manner, and cause to be forborn all manner of Proceedings against our said Subjects Rom. Catholicks, and every of them, as well by Information, Presentment, Indictment, Conviction, Process, Seizure, Distress, or Imprisonment, or any other Ways and Means whatsoever, whereby they may be molested for the Causes aforesaid. And further also, That for time to come, you take notice of, and speedily redress all Causes and Complaints, for or by reason of any thing done contrary to this our Will: and this shall be unto you, and to all to whom you shall give such Warrant, Order or Direction, sufficient Warrant and Discharge in that Behalf. And this is so much more remarkable, that this Warrant was granted when *Buckingham* was so busy in setting out the Fleet against the *Rochellers*.

Here was a Suspension of the Laws with a Witness, by the King's absolute Will and Pleasure, notwithstanding all the Officers by Law were under the Obligations of their Oaths to the contrary: and for the first-Fruits of this Warrant the King granted upon the 10th of *May*, a special Pardon to twenty *Roman Priests*, of all Offences committed by them against the Laws.

Can any Man now believe, that the Parliament 18th *Jac.* should be so jealous, that the *Spanish Match* would be a Door to let in a Toleration of *Popery*, and therefore advised the King to break off the Match with *Spain*; and yet this Parliament should be so purblind, as not to see this put in Execution, at the Instance of the *French* in this King's Reign; especially whenas the *Spaniards* (unless in the Reign of Queen *Elizabeth*) were the English Friends and Allies, and with whom the English had a most beneficial and gainful Trade for 22 Years in King *James's* Reign, whereby they

became doubly more enriched, than in the 44 Years Reign of Queen Elizabeth; whereas the French, as they were a Neighbouring Nation, were ever faithless and Enemies to the English Nation, and with whom it always had a Trade to the English Loss, as much to the enriching France, as to the impoverishing the English?

Hereupon the Commons sent Sir Edward Coke with a Message to the Lords to desire their Concurrence in a Petition to the King against Recufants, which was agreed to, and presented to the King, who answered, *That he was glad the Parliament were so forward for Religion, and assured them, they should find him as forward; that their Petition being long, could not be presently answered.*

Nor were the Commons less alarmed, at the countenancing the Arminian Sect, whose Tenets next to Laud, Mr. Richard Mountague propagated; and about the latter end of King James his Reign, published a Book entituled, *A new Gag for an old Goose*; which the Parliament took notice of, and referred it to the Archbishop of Canterbury, who disallowed it, and sought to suppress it, and ended in an Admonition given to Mountague: but after King James his Death, who was an Enemy to these Tenets, Mountague then printed it again, and dedicated it to King Charles, now Buckingham and Laud ruled all.

Hereupon the Commons brought Mountague to the Bar of their House, and appointed a Committee to examine the Errors therein, and gave Thanks to the Arch-bishop for the Admonition to Mountague, whose Books they voted to be contrary to the Articles established in the Parliament, to tend to the King's Dishonour, and Disturbance of the Church and State, and took Bond of Mountague for his Appearance.

But the King intimated to the House, that the things determined concerning Mountague, without his Privy, did not please him, for he was his Servant and Chaplain in ordinary; and that he had taken the Business into his own Hands: whereat the Commons seemed much displeased.

This was the first Breach between the King and Commons: and here let's see what hasty Steps Laud took to fulfil King James his Prophecy of him, in making Dissensions, and to be a Fire-brand to set the Nation on fire, by fomenting and exasperating the Factions in it. In this Act of Mountague, you may observe a twofold Crime: First his Contempt and Disobedience to the Church of England, (which Laud pretended so much to exalt) and to the Parliament, that his Book being questioned in Parliament, and by the Commons committed to the Arch-bishop, who not only disallowed and suppressed it; but Mountague being admonished against it, he should upon King James his Death presume to reprint it, in Defiance to the Metropolitan of England, contrary to his Canonical Obedience, and to the Commons; thereby to make a Dissen-

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fion between the King and them. And secondly, his being so audacious, as to dedicate it to the King, thereby to engage the King in defence of his Arrogance and Disobedience ; and for a Reward of this special Piece of Service, before King *James* was two Months dead, to be made the King's Chaplain in Ordinary, to be thereby protected from Justice.

But if it be asked how it does appear, that *Land* was concerned in this Act and Promotion of *Mountague* ; I answer, there is a threefold Reason to induce the Belief of it : First, the end for which this Book was wrote, for Promotion of *Arminian* Tenets, whereof *Land* was so great a Stickler. Secondly, none else but *Land* could have such an Ascendant in things of this kind, and to cause so early a Promotion for such a piece of Service : but Thirdly, which clears the Question ; when the King's Necessities caused him to call another Parliament, about six or seven Months after, *Land* fearing the Commons falling again upon *Mountague*, as they did, *Land* founded the King by *Buckingham*, whether the King would leave *Mountague* to the Parliament ; and finding the King determined to do it, in great Zeal, said, *I seem to see a Cloud arising and threatening the Church of England, God in his Mercy dissipate it, as you may read in Rusb. f. 203.* as if the questioning a seditious and a disobedient Fellow to his Superiour in the Church, were a Cloud to threaten the Church of *England*.

If *Land* was the first that sowed Diffension between the King and Parliament upon the Pretence of the Church of *England*, *Buckingham* shall be the second, upon the Account of the Church of *Rome* : and herein you'll see the Temper of *Buckingham* to any which should presume to give him good Counsel.

The Diffension between the King and Commons began with *Mountague* at *London*, where the Plague than raged, and all *England* over, so that most of the Members thrunk away, to flee the Danger of it, and those that staid were in danger of their Lives : This put the King into a marvellous Strait what to do, for his Necessities, as *Buckingham* managed Affairs, and his being imbroiled in the *Spanish* War, were such as the Subsidies granted the King his Father the last Year, and those granted the King now, could not support.

Hereupon the King calling a Council at *Hampton-Court* what to do, the King proposed upon the 10th of *July* to adjourn the Parliament to *Oxford* ; which was mainly favoured by the Duke : my Lord Keeper *Williams* opposed the Proposition for two Reasons ; First, That the Infection had overspread the whole Land, so that no Man that travelled from his own Home, knew where to lodg in Safety ; that the Lords and Gentlemen would be so distasted to be carried abroad in so mortal a time, that it's likelv when they came together, they would vote out of Discontent and Displacive :

that his Majesty was ill counselled to give Offences in the Bud of his Reign, tho small ones. Secondly, the Parliament had given two Subsidies at *Westminster*; tho they removed to *Oxford*, it is yet the same Sessions; and if they alledg, it is not the Use of the House to give twice in a Sessions, (tho I wish heartily they would) yet how shall we plead them out of Custom, if they be stiff to maintain it? It is not fit for the Reputation of the King, to fall upon a probable Hazard of a Denial. The Duke which heard this with Impatience, said, *That publick Necessity must sway more than one Man's jealousy.*

The Keeper hereupon besought the King to hear him in private, and acquainted the King, *That the Duke had Enemies in the House of Commons, who had contrived Complaints, and made them ready to be preferred, and would spend time at Oxford about them. And what Folly were it to continue a Sessions that had no other Aim, but to bring the Duke upon the Stage? But if your Majesty think that this is like an Hætick, quickly known, but hardly cured; my humble Opinion is, That the Malady or Malice, call it what you will, may sleep awhile after Christmas; there is no time lost in whetting the Sithe well. I hope to give an Account by that time, by undertaking with the chief Sticklers, that they shall supersede their Bitterness against your great Servant, and that Passage to your weighty Counsels may be made smooth and peaceable.*

But why, said the King, do you conceal this from Buckingham? Good Sir, said the Keeper, *fa'm would I begin at that End, but he will not hear me with Moderation:* And because it was the Mishap of the Keeper to give the first Notice of this Storm that was gathering, the Duke in Defiance bid him and his Confederates do their worst, and besought the King, that the Parliament might be continued, and he would confront the Faction, tho he looked upon himself in that Innocency that he presumed they durst not question him.

Buckingham's Will must be a Law; so on the 10th of July the Parliament was adjourned to *Oxford*, to meet the first of August: But, to sweeten them, the Keeper in the Presence of both Houses, in the King's Name, promised them, That the Rigour of the Law against Popish Priests should not be deluded: Here see the Levity of the King, and the Dominion *Buckingham* had over him; for upon the 12th of July the King caused a Warrant to be sealed to pardon six Roman Priests.

When the Parliament met at *Oxford*, the Speaker had no sooner taken his Chair, but a *Western* Knight enlarges the Sense of his Sorrow, that he had seen a Pardon for six Priests bearing test July 12th, whereas but the Day before it, when they were to part from *Westminster*, the Lord Keeper had promised in the King's Name, before them all, that the Rigour against the Priests should not be deluded.

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deluded. Hereupon the Members were in such a Heat, that they strived who should blame it most: What! their Hopes blasted in one Night? But for the Lord Keeper that brought the King's Message, and knew it best, and for a Bishop to set the Seal to such a Warrant, for him to do wrong to Religion, it was enormous. Hereupon Mr. Bembo, a Servant to the Clerk of the Crown, confess'd he brought the Writ to the Keeper to be sealed, but it was stopt; Mr. Devike, Servant to Sir Edward Conway, brought it from his Master, but it could not speed. It was my Lord of Buckingham's hard Hap to move the King to command the Warrant to be sealed, in his Sight, at Hampton-Court the Sunday following. The Commons hereupon turned about to clear the Keeper and commend him; but what pleased the Parliament at Oxford, did not please the Court at Woodstock, where this had not pleased the King.

The Commons in this Heat desired a Conference with the Lords in Christ-Church-Hall in the Afternoon, where Sir Edward Coke open'd the Complaint sharply against my Lord Conway, and like an Orator did slide away with a short Animadversion upon the Duke; the Commons enlarged hereon, that the Duke that put the King upon this, was the highest in the King's Favour; and that all the important Places of Honour, and Offices by Sea and Land, were in his Disposall; which you may read at large in the Life of the Lord Keeper, par. 2. fol. 14, 15. tit. 14, 15.

The Lord Keeper at Woodstock was censured by the Duke and his Creatures for this; the Keeper therefore unsent for, comes to Woodstock, and thus applies himself to the Duke.

My Lord, I am come unsent for, and I fear to displease you: yet because your Grace made me, I must and will serve you; though you are one that will destroy that which you made, let me perish: yet I deserve to perish ten times, if I were not as earnest as any Friend your Grace hath, to save you from perishing. The Sword is the Cause of a Wound, but the Buckler is in fault if it do not defend the Body. You brought the two Houses hither, my Lord, against my Counsel; my Suspicion is confirmed that your Grace will suffer for it. What's now to be done, but to wind up a Session quickly? The Occasion is for you, because two Colleges in the University, and eight Houses in the Town are visited with the Plague. Let the Members be promised fairly and friendly, that they may meet again after Christmas; requite the Injuries done to you with Benefits, not Revenge, for no Man that is wise will shew himself angry with the People of England. I have more to say, but no more than I have said to your Grace above a Year past at White-hall; confer one or two of your great Places upon your fastest Friends, so shall you go less in Envy, and not less in Power. Great Necessities will excuse hard Proposals and horrid Counsels: St. Austin says it was a Punick
Proverb

Proverb in his Country, Ut habeas quietum tempus perde aliquid. At the Cloſe of the Sefſions declare your ſelf to be forwardeſt to ſerve the King and Commonwealth, and to give the Parliament Satisfaction, Fear them not when they meet again in the ſame Body, whoſe ill Affections I expect to mitigate; but if you proceed, truſt me with your Cauſe when it comes into the Houſe of Lords, and I will lay my Life upon it, I will preſerve you from Sentence, or the leaſt Diſhonour. This is my Advice, my Lord; if you like it not, Truth in the end will find an Advocate to defend it. The Duke replied no more but, *I will look to whom I truſt*, and hung out of the Chamber with Menaces in his Countenance.

Mr. Ruſſworth, fol. 202. ſays, that the Keeper told the Duke in *Chriſt-Church*, when the Duke rebuked him for ſiding againſt him, in that he engaged with *William Earl of Pembroke*, to labour the Redreſs of Grievances, *That he was reſolved to ſtand upon his own Legs*; and that the Duke ſhould answer, *If that be your Reſolution, look you ſtand faſt*. Where Mr. Ruſſworth had this, I cannot tell: but this being ſo unlike the Keeper's Carriage to the Duke, both in *King James's* time and after, and alſo to the Narrative before ſet forth by the Biſhop of *Litchfield*, who being the Keeper's Chaplain, could have a better Inſpection herein than Mr. Ruſſworth could have had; but eſpecially ſince the Reaſons which the Keeper put into the King's hands, which you may read in the *Life of the Keeper*, par. 2. tit. 18. to ſatisfy the King of his Carriage while the Parliament ſate at *Oxford*, being ſo contrary to what Mr. Ruſſworth ſays, I incline rather to believe the Biſhop.

However, the Commons preſuming to enquire into *Buckingham's* Actions, are cenſured at *Woodſtock* for ſpiteful and ſeditious, and therefore not fit to continue, but to be diſſolved; which being underſtood by the Keeper, with Tears and Supplications he implored the King to conſider, there was a time when his Father charged him, in the Keeper's Hearing, to call Parliaments often, and to continue them, though their Raſhneſs might ſometimes offend him; that by his own Experience, he never got good by falling out with them. But chiefly, Sir, ſaid he, let it never be ſaid that you kept not good correſpondence with your firſt Parliament; do not diſſeminate ſo much Unkindneſs through all the Counties and Boroughs of your Realm; The Love of your People is the *Palladium* of your Crown. Continue this Aſſembly together to another Seſſion, and expect Alteration for the better; if you do not, the next Swarm will come out of the ſame Hive.

The Lords of the Council did almoſt all concur with the Keeper, but it wanted *Buckingham's* Suffrage, who was ſecure that the King's Judgment would follow him againſt all the Table. Thus far the Biſhop.

But

But there was another Cause which the Bishop does not mention, but Mr. *Rushworth* does, fol. 336. which caused the hasty Dissolution of this Parliament. Captain *Pennington* was come to *Oxford* from delivering the Fleet into the French Power, to give an Account of the Reason of it; but by the Duke's means was drawn to conceal himself, and not to publish in due time his Knowledge of the Premises, as it shortly after appeared: and if this should have been made known, it would not have been in the Power of the Keeper to have brought off the Duke from Sentence, or the least Dishonour: so upon the 12th of August the Parliament was dissolved; but before their Dissolution the Commons made this following Declaration.

WE the Knights, Citizens, and Burgeses of the Commons House of Parliament, being the Representative Body of the whole Commons of this Realm, abundantly comforted in his Majesty's late gracious Answer touching our Religion, and his Message for the Care of our Health, do solemnly vow and protest, before God and the World, with one Heart and Voice, that we are resolved, and do hereby declare, that we will ever continue most Loyal and Obedient Subjects to our most Gracious Sovereign Lord King Charles; and that we will in a convenient time, and in a Parliamentary way, freely and dutifully do our utmost Endeavours to discover and reform the Abuses and Grievances of this Realm and State, and in like sort to afford all necessary Supply to his most excellent Majesty upon his present Occasions and Designs: Most humbly beseeching our said dear and dread Sovereign in his Princely Wisdom and Goodness, to rest assured of the true and hearty Affections of his poor Commons; and to esteem the same to be (as we conceive it is indeed) the greatest worldly Reputation and Secrecy that a just King can have; and to account all such as Slandervers of the Peoples Affections, and Enemies to the Commonwealth, that shall dare say the contrary. But the mighty Buckingham shall not only dare to say, but dare to do the contrary: so much easier is it, in such a Reign, for a Favourite to ruin a Nation, than for a Nation to have Justice against a Favourite.

Here let's stay a little, and see what state the King had brought himself to, within less than five Months, after he became King.

First, he took *Mountague* to be his Chaplain, a virulent, seditious, ill-natur'd Fellow, to protect him from his Contempt against his Metropolitan and the Parliament, for publishing new-fangl'd Opinions, to the Disturbance of the Peace of Church and State; and when the Commons questioned *Mountague* for them, he took part with him against them, alledging he had taken the Business into his own Hands, whenas he took *Mountague* into his Power, to protect him from the Justice of them and his Metropolitan, but never took other Notice of *Mountague*'s Business.

Secondly,

Secondly, He took upon him, in Compliance with a foreign Prince and an Enemy to the Nation, to dispense with the Laws against *Romish* Priests; which, by the Constitutions of the Nation, he could not do.

Thirdly, He broke his Word with the Parliament concerning the Execution of these Laws, within a Day, or two at most, after he gave it.

Fourthly, He made War upon the King of *Spain*, without any Declaration of War; whereas just Princes demand Reparations for Wrongs done, and endeavour to compound their Differences amicably, and in case of Refusal, then to proclaim War: and this not only against his Father's Counsel, but the Advice of his Father's Council.

Fifthly, Without the Advice of his Council, he lent the *French* a Fleet to subdue the *Rochellers*, and the *Reformed* in *France*, tho they had given him no Offence, and the *French* King had perfidiously broke his Promise with his Father and himself, in denying *Mansfield's* Army to land.

Sixthly, He had, against the Advice of his Father, broke the Bonds of Amity between him and his Subjects, by the Dissolving of the Parliament, whereby he lost the only Means to support him in his War against *Spain*: And now *Buckingham* stood ready primed, to engage him in a War against *France*; yet in this deplorable state no free Counsel must enter the King's Ears, which must be open to nothing but what *Buckingham* and *Laud* infused; a sad Presage to what follow'd, as well upon *Buckingham* and *Laud*, as upon the King himself. Now let's see the Success of the War against the *Spaniards*.

Besides the Fleet designed against *Cales*, the King fitted up another Fleet, in conjunction with the *Dutch* States, to block up *Dunkirk*, as well as he had lent a Fleet, in conjunction with the *Dutch*, to subdue the *Rochellers*; but this being sent out to Sea about the middle of *October*, the most perilous Season of all the Year for great Ships to put to Sea, (a Consideration either not understood, or not regarded by our Land-Admiral *Buckingham*) a terrible Storm arose, which separated and dispersed both Fleets so, as gave the *Dunkirkers* an Opportunity to put to Sea with 22 Men of War, and 4000 Land-Soldiers. This alarm'd the Council, lest these should land either in *England* or *Ireland*, whenas in neither any Provision was made to oppose them, especially in *England*, where the Earl of *Warwick* had Orders to dismiss 300 of the Trained-bands of *Essex*, that were to secure *Harwich*: however, it's fit here to mention the noble Act of that Earl, in building *Langard-Fort* on *Suffolk* side, to secure the Entrance into the Port, the most famous of all the *English* Eastern Coast, and which is yet continued to this day. But the Season of the Year was such, as prevented

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prevented this Fear; for I find no other Account of the Design of the *Dunkirk* Fleet.

Nor had the Design upon *Cadiz* more Success than that upon *Dunkirk*; for a furious Storm arose in their Passage (it may be the same which separated the *English* and *Dutch* before *Dunkirk*) which so scattered the Fleet, that of 80, no less than 50 were missing for 7 Days.

This was but the Beginning of the Misfortunes of this miserable Expedition; for the Confusion of Orders was such, as the Officers and Soldiers scarce knew who to command, or whom to obey: so that when the Fleet arrived at *Cadiz*, a Conquest, which would have paid the Charge of the Voyage, and to the Honour of the *English*, offered it self; for the *Spanish* Shipping in the Bay of *Cadiz*, lay unprovided of Defence, so as the surprizing them was both easy and feasible: but this was neglected; and when the Opportunity was lost, the Army landed, and Sir *John Burroughs* took a Fort from the *Spaniard*, but was forced to quit it again; for the Soldiers finding therein great store of *Spanish* Wines, so debauched themselves, that had the *Spaniards* known the Condition they were in, they might have destroyed them all.

Hereupon they were put on board again, and the General, my Lord *Wimbleton*, designed to stay 20 Days to wait for the *Spanish* Plate-Fleet, which was daily expected from the *West-Indies*; but the evil Condition of the Fleet, by reason of a general Contagion, enforced the General to abandon the Hopes of so great a Prize: so having effected nothing, he returned home with Dishonour in November following.

This gave no small Occasion of Clamour, that a Fleet so well provided and mann'd, should land their Men in an Enemies Country, and return without some honourable Action: but where the Fault lay, could not be found out; nor was any punished for failing to perform his Duty. Yet the General for some time was not admitted into the King's Presence, and some of the Colonels of his Army accused him, and some Sea-men aggravated the Accusation: Hereupon the General was examined before the Council, and he laid the Fault upon others in the Fleet, who let the King of *Spain's* Ships pass without fighting them, according to Order; and they on the other hand said, they had no Order from the General to fight.

But how miserable soever the Success of this Fleet was, yet it must not be, in the King's Judgment, ascribed to any Improvidence either in the setting forth, or Conduct after it; But to God's Pleasure (who is the Lord of Hosts, and unto whose Providence and good Pleasure his Majesty doth and shall submit himself, and all his Endeavours) not to give that Success as was desired. See the King's Declaration for Dissolving his second Parliament, which you may read in *Rushworth*, fol. 412.

But

But since the King had no better Success against the King of *Spain* by open Force, upon the Return of the Fleet he gave strict Command, That no Subject of the Realm of *England* should have any Trade or Commerce with any of the Dominions of the King of *Spain*, or of the Arch-Dutchies in *Flanders*, upon pain of Confiscation of both Ships and Goods that should be found upon Voyage of Trade into any of their said Dominions. But hereby the Loss manifoldly fell more upon the *English* than *Spaniards*; for these Trades, above all others, were the most beneficial and gainful to the *English*; and by the Peace which the King's Father made with *Spain*, and the free Trade which the *English* thereby enjoyed in *Spain* and *Flanders*, the Nation became doubly more enriched than in the long Reign of Queen *Elizabeth*, which was double as long as *K. James's*, after he had made this Peace: Thus as the King by breaking of the Parliament disabled himself of Means for carrying on the War against *Spain*, so by this Inhibition of the *English* to trade with *Spain*, he disabled his Subjects from giving him such Assistance as otherwise they might. But these were no Considerations, where *Buckingham* and *Laud* govern'd all: and those worthy and honourable Statesmen, the Archbishop of *Canterbury*, the Keeper *Williams*, and the noble Earl of *Bristol*, were not only discountenanc'd, but disgrac'd, and not permitted to come into the Council.

How unsuccessful soever the Expedition was, yet another Fate attended that Fleet lent to the *French*; for the *Dutch* joining a Fleet in conjunction with the *French* Fleet commanded by the Duke of *Momerancy*, fought the Fleet of the *Rochellers*, and utterly subdued it, and then reduced the Isles of *Rhee* and *Oleron* to the *French* Power. But tho the miserable Fate of the *Reformed* began here, yet the Dishonour of the *English* Nation shall soon after follow it; so that now *Richlieu* might write, *florebunt Lilia Ponto*.

Tho the King dissolved the first Parliament to prevent their impeaching *Buckingham*, yet it was not in *Buckingham's* Power to supply the King's Necessities, but they put him upon the Necessity of calling another. And here you may see the little Artifices the King's grand Ministers of State put him upon for the attaining his Ends, and how quite contrary they succeeded.

There were five Persons whom the Duke took to be his Enemies (if they were not so, he had given them Cause enough to be so) two of them were Peers, and three of them Commoners; the Peers were the Earl of *Bristol* and Bishop of *Lincoln*, the Commoners were Sir *Edward Coke*, Sir *Robert Phillips* (a Person whose Memory I revere, and should be glad I knew any of his Descendants, to whom I could acknowledg it) and Sir *Thomas Wentworth*: these Persons, the Duke feared, would be leading Men in both Houses, and was resolved, that to his Power he would keep them

out.

out. He was sure the Earl and the Bishop, as Peers of Common Right, would have their Writs of Summons; and was as sure the other three would be chosen Members of the House of Commons.

In looking a little back you'll better see forward. You have heard how, by the Duke's Power, in King *James's* Reign, the Earl of *Bristol* was first kept back from coming into *England*, and after he was come over, was kept under Restraint, and denied Admission into the King's Presence, lest he should have spoiled the Duke's fine Tale in Parliament concerning the *Spanish Match*: and also after he had answer'd every Particular of it, without any Reply, and that after King *James* had promised the Earl should be heard in Parliament against the Duke, as well as the Duke had been against the Earl, King *James* fell sick, and died thereupon before the Parliament met again.

After King *James's* Death, the Earl wrote a most humble Letter to King *Charles*, imploring his Favour, and desiring the Duke's Mediation, which the Duke answered the 7th of *May* 1625, that the Resolution was to proceed against him, without a plain and direct Confession of the Point, which he (*the Duke*) had formerly required him to acknowledg; and in a courtly manner told him, *That he would advise him to bethink himself in time what would be most for his good.*

In the mean time the Earl received his Writ of Summons to the Parliament; whereupon the Earl sent to the Duke, that he would do nothing but what was most agreeable to his Majesty's Pleasure; which the Duke answered, *I have acquainted his Majesty with your Requests towards him, touching your Summons to the Parliament, which he taketh very well, and would have you rather make your Excuse for your Absence, notwithstanding your Writ, than to come your self in Person.*

Hereupon the Earl desired a Letter of Leave under the King's Hand, for his Warrant; but instead thereof, he received from the Lord *Conway* an absolute Prohibition, and even to restrain and confine him, as he had been in King *James's* time, tho the Earl was freed from it by King *James*: and in this Restraint the Earl continued three Quarters of a Year; during which time, he was remov'd from all his Offices and Places he held during that King's Life: and tho he had laid out the greatest part of his Estate for their Majesties Service, and by their particular Appointment, he could never be admitted so much as to clear his Accounts; yet hereof the Earl never made the least Complaint.

Upon the King's Coronation, when Princes usually confer Acts of Grace and Favour, the Earl addressed himself to the Duke, and then became an humble Suitor to the King for his Grace and Favour; to which he receiv'd an Answer so different from what the King's Father and the King himself had given him, since the
Earl's

Earl's Return into *England*, that the Earl knew not what Construction to make of it.

After the Writs of Summons for the meeting of this Parliament were out, the Earl addressed himself to my Lord Keeper *Coventry*, to be a Suitor to the King in his behalf, that the Privilege, which of right is due to every Peer, might not be denied him; which not taking effect, the Earl petitioned the House of Peers, to mediate to the King for his Writ, which was granted, but accompanied with a Letter from the Keeper not to take his Place in Parliament.

As *Bristol* was the worthiest Statesman in either of these King's Reigns, and whose Integrity in all these Varieties of Employments, none but *Buckingham* and *Conway* presumed (at least that I can find, or ever heard of) so much as to carp at; so *Lincoln's* quaint and excellent, not pedantick Learning, both in Divinity, History, the Civil and Canon Law, and not a Stranger to our *English*, excelled all others: These were adorned with a lively and excellent Elocution, and with a wonderful promptness and presence of Mind, in giving Judgment in the most nice and subtle dark Points of State, and accompanied with an indefatigable Industry in Prosecution of them. These Parts were so well observed in him by King *James*, that without any Solicitation of *Buckingham*, or any other, but whilst he solicited for another, the King conferr'd the Lord Keeper's Place upon him, as you may read in his Life, fol. 52. tit. 62. and after, unsought for, the King promised him the next Avoidance of the Arch-bishoprick of *York*, or any other Ecclesiastical Preferment; and so steddy stood he in King *James's* Favour, that *Buckingham's* Attacks could no ways shake him in it.

In *Chancery* he mitigated the Fees, and all Petitions from poor Men were granted *gratis*; and was so far from prolonging Suits, that in the first Year he ended more than in seven Years before, yet with such Caution, that he would have some of the Judges, but principally Sir *Henry Hubbard*, to be assisting; so that notwithstanding his Celerity in Dispatch in all the five Years of his being Lord Keeper, not one of his Orders, neither by Parliament, nor by the Court of *Chancery*, were ever revers'd.

Cardinal *Richlieu* is much celebrated for the Speech he made in the Convention of *Notables*, which you may read at large in *Howel's* Life of *Richlieu*, f. 162, 163, 164. to excite the *French* to carry on the Cardinal's ambitious and ungodly Designs, after the King had so prodigally expended not only his Father's Treasure, but doubly more than the ordinary Revenues of *France* upon his Favourites, and the manifold Wars both at home and abroad, which *Richlieu* had entangled him in.

Let any Man compare the Keeper's Speech at the opening the first Parliament of King *Charles*, which you may read in the

Keeper's

Keeper's Life, the second Part, f. 9, and 10. with that of *Richlieu's*, and judg if the Rhetorick and Elegancy of it comes any way behind that of his, (after the King's Father and this King had squandered much more than the Revenues of the Crown upon their Favourites, and this King had entangled himself in the Articles of the *French Match*, and without Means engaged himself in a War with *Spain*, and that against his Father's and the Keeper's Advice) in exciting the Parliament to a Compliance with the King's Will, tho with a different Fate; for *Richlieu* attained his Ends by his Speech, whereas the Keeper's Downfall was a Consequence of his.

But above all, the Keeper excelled himself (if I may be Judg) in three things; one was in his Speech in the *House of Peers*, about the *Peers* taking the Oaths; the second, his Reasons he gave the *French Ambassador Voulcleer*, against dispensing with our Penal Laws against *Romish Priests*, which you may read at large in the first Part of the *Keeper's Life*, fol. 214, 215, 216, 217, 218, 219, 220, 221, 222. The third Speech was, when the Earl of *Essex* moved the House of Lords, in the Year 1640, that the Bishops might be expell'd the House, not their Persons, but their Order; which you may read at large in the second Part of the *Keeper's Life*, from fol. 168, to 176. And sure the History of the *Keeper's Life* had been a nobler Work, if it had been related without the loose and impertinent Glosses of the Bishop of *Litchfield*, whereby he does so often disturb and break the Thread of the Story, and by preaching himself, more than writing his History, makes it confounded, so as it is difficult to pursue it. See the Speech in the first Part of his Life, f. 76, 77.

After the Parliament was dissolved at *Oxford*, all Heads were set at work to find some fault against the Keeper, to cut him of his Place, but none could be found; hereupon they made a Proposition, which the *Keeper* made to King *James*, That the Office of Lord Chancellor, or Lord Keeper, should be Triennial, so that after three Years the King should make another, and the *Keeper* having enjoy'd the Place above four Years, to be the Reason that he should surrender the Seal.

When the *Keeper* had notice of this, in a pathetical Letter to the King, (which you may read in his Life, in the second Part, f. 24.) he implores his Majesty's Favour, that he may retire with an Assurance of his Majesty's Grace, and be admitted into his Presence to make some humble Requests to him, which the King granted. The first of his Requests was for the King's Favour in general, which the King granted, and gave him his Hand twice to kiss upon it. Secondly, That the King would take away none of his Church-Preferrments, as he had graciously promised, till he had given him better in lieu of them: the King answered, *It was his Intention*. Thirdly, That the King would remember his Father's

M  Promise,

Promise, seconded by him, that he would place him (the Keeper) in as good a Bithopricks, or Arch-bithopricks, as he could: the King said, *There was no such place void; when any fell, it would be then time enough to make his Request.* Fourthly, That his Majesty would dismiss him freely and absolutely, without any Command from the Table, but to leave it to the Keeper's Discretion to forbear: the King said, *He ever intended it so, and never said a word to the contrary; but expected he should not offend by voluntary Intrusion.* Fifthly, That the King would declare to the Lords, that the Keeper had willingly and readily yielded to his Majesty's Pleasure, and that he parted in the King's Favour and good Opinion, and was still his Servant: the King said, *He would, but that he looked that no Petitions be made for him by any Man at that time, but only for his Favour in general.* Sixthly, The Keeper besought the King to make an Atonement with the Duke upon or without Examination of the Information which the Duke received against him: the King said, *It became not him, a King, to take up Quarrels between his Subjects, and that the Duke had never express any such Enmity to him, against him (the Keeper).* Seventhly, The Keeper besought the King, that whereas the Keeper had a Pension by Direction of the King's Father, and wherewith the King was acquainted, of 2000 Marks per Annum to the Viscount Wallingford, and had disbursed 3000 l. down upon it, either to buy the said Pension, or extinguish it, or to assign it to be paid out of the Tenths or Subsidies of his Bithopricks, as before he had appointed to receive it out of the Exchequer: the King said, *Assignments were naught, but he would take Order with his Treasurer to buy it, or pay for it, as should be most convenient.* Eighthly, The Keeper besought the King to bestow the next Prebendary in Westminster upon his Library-keeper, as his Father had promised, or that he might resume his Books again: the King said, *It was full of Reason.* Ninthly, The Keeper besought the King to ratify a Grant made by his Father of four Advowsons to St. John's-College in Cambridg, whereof two he had bought with his Money, and two the King gave him for the good of the Society: the King said, *He would ratify the Grant, and give way to amend any Errors in the Form, or in passing of it.* Tenthly, The Keeper besought the King, that he might retire to a little Lodg which my Lord Sandys lent him, where the Lord Conway might receive the Seal; which the King granted. Lastly, The Keeper besought the King, that the King would not be offended with him, if upon his Discharge Reports were made that he was discontented, which he protested he was not, giving over so comfortably: the King said, *He would do him that Justice, and that he little valued Reports;* and thereupon gave the Keeper his Hand to kiss at parting: which you may read in the second Part of the Keeper's Life, Tit. 28.

But

But the Bishop says in the next *Tit.* the forlorn Keeper felt the Heaviness of this Lightness, who thought he had obtained much, but (excepting the four Advowsons confirmed to *St. John's-College*) he mist all that he sought for and expected; nor could he ever get a Farthing of his Pension, nor bring it to an *Audit* to his dying-day; nor did the Keeper's Enemies stop here, but sought to provoke against him the King's Displeasure, with things which were neither consistent with the King's Honour, nor scarce to be born by the Temper of Human Nature; and were so hasty in it, that the King's Promise, that the Bishop of *Lincoln* (now no more *Lord-Keeper*) should enjoy the King's Favour, was scarce three Months old, when they put not only the King out of mind of his Promise, but the Bishop out of the Duty of his Place, but that *Laud* should perform it, whether the Bishop would or not.

It has been said with what Difficulty the Bishop of *Lincoln* (for so we must now call him) procured *Laud* the Bishoprick of *St. David's*; and the Bishop staid not there, but retained him in his Prebendary at *Westminster*, and so after gave him a Living in the Diocese of *St. David's* of 120 *l.* per Annum, to help his Revenue. These two last, being Additions to *Laud's* Preferment, coming from the Bishop of *Lincoln* voluntarily, and unsought for by *Laud*, he by Mr. *Winn* returned his Thanks to the Bishop with this Expression, *His Life would be too short to requite his Lordship's Goodness.*

But these Favours were not eighteen Months planted when *Laud* became the Bishop's sharpest Enemy, as you may read in the first Part of his Life, *f.* 108. and his Malice grew so high, that the Countess of *Buckingham*, the Duke's Mother, took notice of it, which the Arch-bishop *Abbot* takes notice of, *Rushw. f.* 144. as well as the Bishop of *Litchfield*.

As Acts of Grace and Favour usually were accompany'd by our Kings at their Coronation, so in this King's Reign the quite contrary must be practised, not only to the Earl of *Bristol*, but much more to the Bishop of *Lincoln*; for he was not only denied to do his Homage to the King with the rest of the Spiritual Lords at the Coronation, but his Office as Dean of *Westminster*, in assisting the Arch-bishop in the Solemnity of it; and yet this too must be done by *Laud*, as the Bishop's Substitute, whether he would or not.

This was the first noble Favour the King extended to the Bishop, according to his reiterated Promise, when they parted. The second was, he was denied his Writ of Summons as a Peer in Parliament, which met in four days after the Coronation, *viz. Feb. 6.* which was due *ex debito Jusstitis*, and which was never denied to Prisoners, or condemned Persons even in his Father's time; and at

last, when he obtained it, yet he must not presume to sit in Parliament, and had much ado to have his Proxy left with the Bishop of Winchester, Dr. Andrews, as you may read in the second Part of his Life, f. 69.

But tho the Privilege of Peers a little eclipsed the Power of the mighty *Buckingham*, yet he was resolved to keep Sir *Edward Coke*, Sir *Robert Phillips*, and Sir *Thomas Wentworth* out of the Commons House by the King's Prerogative (as it has been of late used) in making them Sheriffs, whether they be returned by the Coroner's Inquest of the Counties or not; and by this Prerogative Sir *Edward Coke* was made Sheriff of the County of *Bucks*, Sir *Robert Phillips* of *Somerset*, and Sir *Thomas Wentworth* of *Yorkshire*. It made a mighty Noise and an Inquiry, which otherwise would not have been, that Sir *Edward Coke*, in his extrem Age, now 77 Years old, and who had been Chief Justice of both Benches, and Privy-Counsellor, should be made a Sheriff of the County, and the more, for that Sir *Edward Coke* took Exceptions to the Oath of a Sheriff, whereupon it was altered.

These were the Counsels which govern'd this King in the Infancy of his Reign. Now let us see the Success.

The Commons were so far from granting Subsidies now, as in the last Parliament, before Grievances were redrest, that upon their first Meeting they fell upon Examination of Grievances, and the Mis carriage of the Fleet at *Cadiz*, the evil Counsellors about the King's Misgovernment, and Misemployment of the King's Revenue, and an Account of the three Subsidies and three Fifteenths granted the 21st of King *James*: That new Impositions and Monopolies were multiplied, and settled to continue by Grants; Customs enhanced by the new Book of Rates; and that Tunnage and Poundage was levied, tho by no Act of Parliament; and the Guard of the Seas neglected.

However, these were Generals, but the first Particular fell upon *Mountague* in five particular Articles, wherein he had broken the Laws and Statutes of the Realm, and disturbed the Peace both of the Church and Commonwealth.

1. Whereas by the Articles of the Convocation holden in the Year 1562, it is determined, That the Church of *Rome* is, at present, and has been for above 900 Years past, so far wide from the Nature of a true Church, that nothing can be more; he, the said *Mountague*, in several places of the Book called, *The Answer to the Gag*, and his other Book called, *The Appeal*, advisedly affirms and maintains, That the Church of *Rome* is and ever was a true Church since it was a Church.

2. Whereas in the 16th Homily of the second Book of Homilies it is declared, that the Church of *Rome* is not built up on the

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Foundation of the Prophets and Apostles; and in the 23^d Article, that *Transubstantiation* overthrows the Nature of a Sacrament; and in the 25th Article, that the five other Sacraments are not to be accounted Sacraments; yet he the said *Mountague* maintains in his Book, called, *The Answer to the Gagg*, That the Church of Rome hath ever remained firm upon the same Foundation of Sacraments and Doctrine instituted by God.

3. In the 19th of the same Article it is maintained, That the Church of Rome hath erred not only in their Living and Matters of Faith, and Ceremonies; he, in his Book called, *The Gagg*, does maintain, that none of these are controverted in their Points between the *Papists* and *Protestants*: and tho in the 35th Article it is resolved, that the Sacrifice of Masses, in which it is commonly said the Priest did offer Christ for the *Quick* and the *Dead*, to have Remission of Pain and Guilt too, is a blasphemous Fable, and dangerous Deceit, this being one of the controverted Points between the Church of England and the Church of Rome; he, in his Book called, *The Gagg*, does maintain, That these controverted Points are of a less and inferior Nature, of which a Man may be ignorant without any danger of his Soul at all; and a Man may oppose this or that without peril of perishing for ever.

4. Whereas in the second Homily, entituled, *Against the Peril of Idolatry*, and approved by the 37th Article, it is declared, That Images teach no good Lesson, neither of God or Godliness, but all Error and Wickedness; he, the said *Mountague*, does maintain, Images may be used for the Instruction of the Ignorant, and Excitation of Devotion.

5. That in the same Homily it is plainly expressed, That the attributing certain Countries to Saints, is a spoiling God of his Honour, and that such Saints are but *Dii tutelares* of the *Gentile Idolaters*; yet the said *Mountague*, in his Book entituled, *A Treatise concerning the Invocation of Saints*, affirmed and maintained, That the Saints have not only a Memory, but a more peculiar Charge of their Friends; and that it may be admitted that some Saints have a peculiar Patronage, Custody, Protection and Power, as Angels also have over certain Persons and Countries by special Deputation, and that it is not Impiety so to believe. And whereas in the 17th Article it is resolved, That God has certainly decreed by his Counsel, secret to us, to deliver from Curse and Damnation those whom he hath chosen in Christ out of Mankind, to bring them by Christ to everlasting Salvation; wherefore they which be endued with so excellent a Benefit of God, be called according to God's Purpose, working in due season, they through Grace obeying the Calling, they be justified freely, walk religiously in good Works, and at length by God's Mercy attain to everlasting Felicity: He the said *Mountague*, in his Book called, *The Appeal*,

does maintain, That Men justified may fall away and depart from the State they once had, and may again arise, and become new Men possibly, but not certainly nor necessarily. And the better to countenance this Opinion, he hath in the same Book wilfully added, and falsely charged divers Words in the said 16th Article, and in the Book of *Common-Prayer*, and so miscited and changed the said Places he does alledg in his said *Appeal*, endeavouring thereby to lay a most malicious and wicked Scandal upon the Church of *England*, as if he did herein differ from the Reformed Church of *England*, and from the Reformed Churches beyond the Seas, and did consent to those pernicious Errors which are commonly called *Arminianism*, and which the late famous Queen *Elizabeth*, and King *James* of happy Memory, did so piously and diligently labour to suppress.

That he had, contrary to his Duty and Allegiance, endeavoured to raise Factions and Divisions in the Commonwealth, by casting the odious and scandalous Name of *Furitans* upon such as conform themselves to the Doctrine and Ceremonies of the Church of *England*, under that Name laying upon them divers false and malicious Imputations, so to bring them into Jealousy and Displeasure with the King, and Ignominy and Reproach of the People, to the great danger of Sedition, and disturbance of the State, if it be not timely prevented.

That the Scope and End of his Books is, to give Encouragement to Popery, and to withdraw the King's Subjects from the true Established Religion to the Roman Superstition, and consequently to be reconciled to the Church of *Rome*, whereby God's true Religion has been scandaliz'd, those Mischiefs introduced which the Wisdom of many Laws hath endeavoured to prevent, the Devices of his Majesty's Enemies furthered and advanced, to the great danger of the King and all his loving Subjects.

That he has inserted in his Book called *The Appeal*, divers Passages dishonourable to the late King, full of Bitterness, Railing, and injurious Speeches to other Persons, disgraceful and contemptible to many worthy Divines of this Kingdom, and other Reformed Churches beyond the Seas; impious and profane in scoffing at Preaching, Meditating and Conferring, Pulpits, Bibles, and all shew of Religion; all which do aggravate his former Offences, having proceeded from malicious and enormous Hatred against the Peace of the Church, and the Sincerity of the Reformed Religion publicly professed, and by Law established in this Kingdom. All which Offences being to the Dishonour of God, and of most mischievous Effect and Consequence against the Church and Commonwealth of *England*, and other of his Majesty's Realms and Dominions, the Commons assembled in Parliament do hereby pray, that the said *Richard Mountague* may be punished according

to his Demerits, in such exemplary mannner, as may deter others from attempting so presumptuously to disturb the Peace of the Church and State; and that the Books aforesaid may be suppressed and burnt.

This was that special Stick of Wood which *Laud*, in the beginning of this young King's Reign, put into his Hand, to support him in the establish'd Religion of the Church of *England*, and afterwards planted him to be one of the Cedars of our Church, by having him made first Bishop of *Chichester*, and after of *Norwich*.

However *Laud* was so nettled with the Votes of the Commons; I do not find *Buckingham* concerned himself in them, it may be believing this might divert the Storm from him: but it was impossible for the Commons, in looking into the Grievances of the Nation, but to meet *Buckingham* in the Front of every one of them: And when they began their Debates concerning the Duke, they received a Message from the King of the pressing State of *Christendom*, and with what Care and Patience he expected their Resolutions of Supplies, and to let them know, he look'd for a full and perfect Answer of what they would give for his Supply, according to his Expectation, and their Promises; and that he would not accept of less than was proportionable for the Greatness and Goodness of the Cause; and that it was not fit to depend any longer upon Uncertainties, whereby the whole Weight of the Affairs of *Christendom* may break in upon us upon the sudden, as well to his Dishonour, as the Shame of the Nation; and when this is done, they may continue longer, and apply themselves to the Redress of Grievances, so they do it in a dutiful and mannerly Way, without throwing an ill Odor upon his present Government, or upon the Government of his late blessed Father. You will hear further of the Care he took of *Buckingham*, in his Reply to the Commons Address upon this.

The Commons, in answer, beseech the King to rest assured, that no King was ever dearer to his People than his Majesty, no People more zealous to maintain and advance his Honour and Greatness, and especially to support that Cause wherein his Majesty and Allies are now engaged; and beseech his Majesty to accept the Advice of his Parliament, which can have no other end but the Service of his Majesty, and the Safety of his Realm, in discovering the Causes, and proposing the Remedies of those great Evils which have occasioned his Majesty's Wants, and his Peoples Griefs.

And therefore, in Assurance of Redress herein, they really intend to assist his Majesty in such a way, and in so ample a Measure, as may make him safe at home, and feared abroad; and for

dispatch whereof, they will use such Diligence, as his urgent and Pressing Occasions require.

The King, in answer to the Commons, tells them, he takes the Cause of their presenting Grievances, to be a *Parenthesis*, and not a *Condition*; and will be willing to hear their Grievances, so as they apply themselves to redress Grievances, and not enquire after Grievances: That he will not allow any of his Servants to be question'd by them, much less such as are of eminent Place about him; that the old question was, *What shall be done to the Man whom the King honours?* But now it hath been the Labour of some to seek what may be done against him whom the King thinks fit to honour; he saw they specially aimed at the Duke of *Buckingham*, and wonders what had altered their Affections to him, when in the last Parliament of his Father's time he was their Instrument to break the Treaties, for which they did so honour and respect him, that all the Honour conferred upon him was too little: He wot not what had chang'd their Minds; but assures them, that the Duke had not meddled with, or done any thing concerning the Publick, but by his special Directions, and was so far from gaining any Estate thereby, that he verily thinks the Duke rather impaired the same. He would have them hasten the Supplies, or it will be the worse for them; for if any Ill happens, he thinks he shall be the last that shall feel it.

The Commons had yet fresh in Memory the Dissolution of the Parliament at *Oxford*, about six Months before, and what Trust there was to this King's Word for Redress of Grievances, so as it was done in a dutiful and mannerly Way, after they had given Money; and therefore they little altered their Course from what they had done at *Oxford*, yet more than Parliaments heretofore did, to have Grievances first redress'd, and then to give Supplies; for they voted to proceed upon Grievances, and to give the King three Subsidies, and three Fifteenths.

This gave the Duke little Satisfaction: so that the King himself became the Duke's Advocate, and told the Commons in a Speech, which you may read in *Rushw. fol. 225.* that he came to inform the Commons of their Errors and unparliamentary Proceedings, so that they might amend their Faults: which was enlarged by my Lord Keeper *Coventry*, who told them of the King's Necessities, and his Patience in Expectation of Supplies, and of the King's Promise of Redress of Grievances, after Supplies were granted; That the Enquiry upon sundry Articles against the Duke upon *Common Fame*, was to wound the Honour and Government of his Majesty, and of his renowned Father, and therefore it was his Majesty's final and express Command, that they yield Obedience to those Directions which they formerly receiv'd, and cease their unparliamentary Proceedings against the Duke, and leave to his Ma-

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jeſty's Care, Wiſdom, and Juſtice the future Reformation of thoſe things, which they ſuppoſed to be otherwiſe than they ſhould be; and that the King took notice, that they had ſuffered the greateſt Council of State (*The Duke and Laud*) to be cenſured and traduced by Men, whoſe Years and Education cannot attain to that Depth, (*Why then were the old Members kept out of the Houſe, which could have better informed them?*) and that the three Subſidies, and three Fifteenths were no ways proportionable to ſupply the King's Neceſſities, &c. and concludes, that his Maſteſty doubts not but after this Admonition, they will obſerve and follow it, which if they do, his Maſteſty is moſt ready to forgive all that is paſt. Then the King added, that in his Father's time, by their Perſwaſion, he was their Inſtrument to break off thoſe Treaties; and that then no Body was in ſo great Favour with 'em as the Man they ſeem now to touch, but indeed his Father's Government, and his; and that Parliaments are altogether in his Power for their Calling, Sitting and Diſſolution; and as he finds the Fruits, they are to continue, or not to be.

But if the Commons Proceedings againſt the Duke were erroneous and unparliamentary, and through the Duke's Sides wounded not only the King's Government, but that of his renowned Father; and that the young Men in this Houſe of Commons had cenſured and traduced the King's higheſt Council of State; you ſhall now hear of an old Statelman in the Houſe of Lords, which ſhall not only ceaſe the Wonder, which cauſed the Parliament in the 21^{ſt} of King *James*, ſo to applaud the Duke, but ſhall wound the whole Story, which begat that great Applauſe to the Duke.

You have heard before how the Earl of *Briſtol* was ſtopp'd at *Calais* from coming over into *England*, after his Return out of *Spain*; and after he came to *Dover*, when the Duke could not prevail upon Marquiſs *Hamilton*, and the Earl of *Hertford*, to have the Earl ſent to the Tower upon his Arrival in *England*; how he was ſtopp'd by a Letter from the Lord *Conway*, that he ſhould not come to Court, nor to the King's Preſence, till he had answered to ſome Querics which his Maſteſty would appoint ſome of the Lords of the Council to aſk him, which was not done till the Parliament was adjourned, and never met more; and how after King *James's* Death the Earl was not only kept from his Liberty, and the King's Preſence, but removed from all his Offices and Employments, and not ſuffered to come to an Account for the Moneys expended in the King's Service; and not permitted to come to the Parliament which was diſſolved at *Oxford*.

Upon the King's Summons of this Parliament, the Earl petitioned the King to have his Writ of Summons, which was never denied to any Peer, to aſſiſt in the Houſe of Peers; but he received an Answer by the Lord *Conway*, That the King was no
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ways satisfied in it, and propounded to the Earl, *Whether he would rather sit still, and enjoy the Benefit of the late King's Pardon in Parliament, or to wave it, and put himself upon Trial, for his Negotiation in Spain; and one of these he must trust to, and give a direct Answer.*

The Earl, in Answer, said, He had been already question'd upon 20 Articles, by a Commission of the Lords, and had given such Answers, that their Lordships never met more about that Business; and that he did not wave the Pardon granted by King James in Parliament. These Letters you may read at large in *Rushworth, fol. 138, 139, 140.*

Hereupon the Earl petitions the House of Lords, shewing, that he being a Peer of this Realm, had not received his Writ of Summons to Parliament, and desires their Lordships to mediate with his Majesty, that he may enjoy the Liberty of a Subject, and the Privilege of his Peerage, after almost two Years Restraint without any Trial brought against him; and that if any Charge be brought against him, he prays he may be try'd by Parliament.

Hereupon the Lords petition the King, that not only the Earl of Bristol, but all such other Lords whose Writs are stop't, except such as are made incapable to sit in Parliament, by Judgment of Parliament, or some other legal Judgment, may be summoned.

This nettled the Duke to the quick, so that he told the House the King had sent the Earl his Writ, but withal deliver'd such a Letter, which the King sent to the Earl, which I care not to transcribe, but you may read it in *Rushworth, fol. 241.* wherein this great Statesman Buckingham would have the Earl judged and censured by the King, without hearing the Earl, and thereby forestal the Judgment of the Lords against the Earl.

It's true indeed, my Lord Keeper Coventry sent the Earl a Writ of Summons to attend in Parliament, but withal signified by a Letter to the Earl, that it was his Majesty's Pleasure withal, (*no doubt but by the Advice of his highest Council of State*) that the Earl should continue in the same Restraint he was, so that he forbear his personal Attendance in Parliament.

But since the Duke could no longer otherways keep the Earl out of the House of Lords, the King, by my Lord Keeper, signified to the Lords, that his Pleasure was, they should send for the Earl as a Delinquent, to answer Offences committed against him before his going into Spain, and since his coming back, and his scandalizing the Duke of Buckingham immediately, and by Reflection upon himself, with whose Privy and Direction the Duke guided his Actions, and without which he did nothing. And now Sir Robert Heath, the King's Attorney-General, exhibited eleven Articles against the Earl (*it was thought fit to leave out the other nine*) which the Earl had answered to King James, without any

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Reply; and in the last of these the Earl is charged with giving the King the Lie, in offering to falsify that Relation which his Majesty affirmed, and thereunto added many things of his own Remembrance to both Houses of Parliament; which you may read at large in *Rushworth's Collections*, from fol. 153, to 158.

Hereupon the Earl exhibited a Charge of High Treason and Misdemeanours, in twelve Articles, against the Duke, and another against the Lord *Conway*, of High Misdemeanours, which you may read at large in *Rushworth*, from fol. 256, to 270. And upon the Delivery of them, the Earl desired a Copy of the King's Charge against him in Writing, and time allowed to answer, and Countel assigned him; and said there was a great Difference between the Duke and him, for the Duke was accused of Treason, and at large, and in the King's Favour, and that he, being but accused of that which he had long since answered, was a Prisoner, and therefore moved the Duke might be put in equal Condition; which tho the House did not, yet were not satisfied to commit the Earl to the Tower, and order'd, That the King's Charge against the Earl should be first heard, and then the Earl's against the Duke; yet so that the Earl's Testimony against the Duke be not prevented, prejudiced, or impeached.

The King, in a Message to the Lords by my Lord Keeper, would have blasted the Earl's Articles against the Duke for two Reasons (if they may be called so.)

The first was, That the Narrative made in the 21 *Jac.* in Parliament, trenches as far upon him as the Duke, for that he went therein as far as the Duke. *But what then? Shall not the Earl be heard in his Defence against that Declaration which was designed to blast the Earl's Honour and Integrity? and Justice is no Respecter of Persons.*

The other was, That all the Earl's Articles have been closed in his Breast now these two Years, contrary to his Duty, if he had known any Crime of that nature against the Duke; and now he vents it by Recrimination against the Duke, whom he knows to be a principal Witness to prove his Charge against the Earl. *This is strange; for his Majesty's Reign was scarce yet a Year old, and all this while the Earl was under a Restraint, and not permitted to come to the Parliament, which ended at Oxford; and in his Father's Reign, after the Earl had answered all the Duke's Articles against him, without any Reply, King James promised him he should be heard against the Duke, as well as he was against him, tho he lived not to make good his Promise.*

Now let's see the Levity of this Prince, the necessary Concomitant of Wilfulness, and which he pursued in every step of his Reign, without any Remorse that I could ever find; for the Lodgment of the King's Charge against the Earl in the House of Lords

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was scarce cold, whenas it was endeavoured to take the Earl's Cause out of the House, and to proceed against him in the King's Bench. *But why must this be at this time of day, and while a Parliament was sitting? And why was not this done in the King's Father's Life, or in this King's Reign? And why must two years pass, and this way of charging the Earl never thought of, which now must be done in all haste?* But the Lords put a full stop to this, and for these Reasons.

1. For that in all Causes of moment, the Defendants shall have Copies of all Depositions, both *pro* and *contra*, after Publication, in convenient time before hearing, to prepare themselves; and if the Defendants will demand that of the House in due time, they shall have learned Counsel to assist them in their Defence: And their Lordships declared they would give their Assents thereto, because in all Causes, as well Civil as Criminal and Capital, they hold, that all lawful Help could not, before just Judges, make one that is guilty avoid Justice; and on the other side, God defend that an *Innocent* should be condemned.

2. The Earl of *Bristol*, by his Petition to the House, complained of his Restraint, desiring to be heard here, as well in point of his Wrongs, as in his Accusations against the Duke; whereof his Majesty taking Consideration, signified his Pleasure by the Lord Keeper, *April 20*, That his Majesty was resolved to put his Cause upon the Honour and Justice of this House; and that the Earl should be sent for as a Delinquent, to answer the Offences he committed in his Negotiations, before his Majesty's going into *Spain*, whilst his Majesty was there, and since his Return; and that his Majesty would cause these things to be charged upon him in this House, so as the House is fully possessed of the Cause, as well by the Earl's Petition as the King's Consent, and the Earl brought up to the House as a *Delinquent*, to answer his Offences there: and Mr. Attorney hath accordingly delivered the Charge against him in the House, and the Earl also his Charge against the Duke.

And now, if the Earl be proceeded withal by way of the *Kings-Bench*, these dangerous Inconveniencies will follow.

1. He can have no Counsel.
2. He can use no Witness against the King.
3. He cannot know what the Evidences against him will be in convenient time to prepare for his Defence, and so the Innocent may be condemned; which may be the Case of any Peer.
4. The Liberty of the House will be thereby infringed, the Honour and Justice of it declined, contrary to the King's Pleasure, expressly signified by my Lord Keeper: all which are expressly against the Order.

5. The Earl being indicted, it will not be in the Power of the House to keep him from Arraignment, and so he may be disabled to make good his Charge against the Duke.

Therefore the way to proceed according to the Directions and true Meaning of the Order, and the King's Pleasure signified, and preserve the Liberties of the House, and protect one from Injury, will be,

To have the Charge delivered into the House in Writing, and the Earl to set down his Answer in Writing; and that the Witnesses on both sides be examined, and Evidences on both sides heard, by such Course and manner of Proceedings as shall be thought fit by the House: And if upon a full Hearing, the House shall find it Treason, then to proceed by way of Indictment; if doubtful in point of Law, to have the Opinion of the Judges to clear it; if doubtful in Matter of Fact, then to refer it to a legal Trial at Law; and that the rather, for that,

1. It appears that the Earl, in the space of two Years (till now he complained) has not so much as been questioned for Matter of Treason.

2. He has been examined upon twenty Interrogatories, and the Commissioners satisfied, that his Answer would admit of no Reply.

3. The Lord *Conway*, by several Letters, hath intimated, that there is nothing against him, but what was pardoned by the Parliament of the 21st of *Jac.* and signified his Majesty's Pleasure, that he might rest in that Security, and sit still.

4. That his Majesty had often declared to the Countess of *Bristol*, and others, that there was neither Treason nor Felony against the Earl, nor ought else but what a small Acknowledgment would expiate.

The Earl, in Conformity to this Order, answered every Particular of the King's Charge against him, without any Reply; but it would be a wonderful Discovery, to find an Answer to any one Particular of the Earl's Charge, either against the Duke, or my Lord *Conway*.

The Commons, at the same time, impeached the Duke of high Misdemeanours, in a Charge of thirteen Articles, whereof that of the Death of King *James* was one; but to the Displeasure of the King, so far as to commit Sir *Dudley Diggs* and Sir *John Elliot* to the Tower for it: and the Commons sent a Message to the Lords by Sir *Nathaniel Rich*, by an unanimous Vote, to commit the Duke to safe Custody; which I do not find the Lords did, nor did the imprisoned Members lie long in the Tower; for the King signified to the House, that Sir *Dudley Diggs* did not speak the Words for which the King committed him, and soon after Sir *John Elliot* was discharged.

However, the Commons ran high against the Duke, with a Protestation, *That till he were removed from meddling with State-Affairs, they were out of all hopes of any good Success, and did fear that any Money which they shall or can give, will, through his Misemployment, rather be turned to the Hurt and Prejudice of this Kingdom than otherwise, as by lamentable Experience they have lately found in those large Supplies they had formerly and lately given.*

But the Duke, thus doubly stormed both by the Earl and Commons, and utterly unprovided to defend himself against either; and the King, rather than receive the Remonstrance the Commons had prepared to present him against the Duke, resolved to part with the Parliament rather than the Duke, and thereby lost four Subsidies and three Fifteenths, tho the House of Peers petitioned to the contrary: This was upon the 15th of June 1626.

The King having sent the Parliament home again, sends a long Declaration after them, wherein he magnifies his Power of Calling, Adjourning, Proroguing, and Dissolving Parliaments peculiarly belonging to himself, by an undoubted Prerogative inseparably united to his Imperial Crown, of which, as of all his other Royal Actions, he is not to give any Account, but to God only, whose immediate Lieutenant and Vicegerent he is in these his Realms and Dominions, by Divine Providence committed to his Charge; yet his Purpose is, so to order himself and all his Actions, concerning the Weal of his Kingdoms, as may justify themselves not only to his own Conscience, and to his own People, but to the whole World: He thought fit to make a true, plain, and clear Declaration of the Reasons that enforced him to dissolve these two last Parliaments, so that the Mouth of Malice it self might be stoppt, and the deserved Blame of so unhappy Accidents may justly fall upon the Authors thereof.

The King says, That when he came first to the Crown, he found himself engaged in a War against a potent Enemy. *Who was that Enemy? Or at what time was any Declaration of any War made either against his Father or him? Which after the best Search I could ever make, I could never find any; yet this I find, that the next day after his Father's Death, he and his Favourite the Duke were so eager to make a War against the King of Spain, that a day must not be lost, but Writs must be issued out to summon a Parliament, to give Subsidies to make War against Spain. See the second Part of the Keeper Williams's Life, fol. 4. tit. 2.*

This War, the King says, was not undertaken rashly, nor without just and honourable Grounds, but enforced for the necessary Defence of himself and his Dominions. *If this War were for the necessary Defence of the King and his Dominions, there must be some Body that did thus offend the King and his Dominions; but who this is, the King neither says, nor can I find.*

For the Support of his Friends and Allies. *This is general, so no particular Answer can be given to it: but who these Friends and Allies were which were to be supported, the King neither says, nor can I find.*

For redeeming the antient Honour of this Nation. *It had need, for it was never so blasted as in his Father's and his own Reign.*

For the Recovery of the Patrimony of his dear Sister, her Consort, and their Children, injuriously, and under colour of Treaties of Friendship, taken from them. *The King's Father, to make good the Narrative which this King and Buckingham made of the Spanish Treaty, told the Parliament he was deceived by Generals, and that dolofus verfatur in generalibus. If the King would have satisfied the World how his Brother-in-law's Patrimony was taken from him by Colour of Treaties and Friendship, he should have set forth the Treaties and Friendship, and by whom, and when sought; and by whom, and when broken: but of this the King says not one word, and therefore that which he says stands for nothing.*

And for the Maintenance of the true Religion. *Were the Ships which he and Buckingham last Year sent to subdue the Rochellers, who had never given him or his Father any Offence, for the Defence of the true Religion? If this was not, what was it this King did for the Defence of the true Religion?*

And invited thereunto, and encouraged therein, by the humble Advice of both Houses of Parliament. *What! all this by the Advice of both Houses of Parliament? I cannot find the Parliament, 21 Jac. ever invited his Father to any more, than to break off the Treaties of the Prince's Match with Spain, and the Palatinate: But what if upon the Misinformation of the Duke ex parte, the Parliament had done all this? yet, whenas the Earl of Bristol had twice blasted the Duke's Narrative in every particular, without any Reply, Why might not another Parliament, upon better Information, alter what the Parliament 21 Jac. had done? Which neither of these Parliaments did, but granted and voted him and his Father greater Supplies than ever before were given to any of his Predecessors in threefold the time.*

But when the King enter'd into a View of his Treasure, he found how ill provided he was to proceed effectually with so great an Action. *It seems by this one Action, the King only designed the War against Spain: But why does not the King set forth the Causes why his Treasure was so ill provided? It was not ten Months before his Father's Death, that the Parliament 21 Jac. which gave his Father three Subsidies, and three Fifteenths, was adjourned; and his first Parliament gave him two Subsidies more, within two or three Months after his Father's Death: And what came of all this, but the raising ten thousand Foot and two thousand Horse, under Mansfield, the Expedition against the Rochellers, and to Cadiz? to neither of*
which

which latter he was ever invited by his Father, or any Parliament.

The King makes the Flague to be the Cause of the Dissolution of the Parliament at Oxford; yet he might as well have secured the Members by a Prorogation, as Dissolution.

And in this Parliament, he tells how the House of Commons voted him three Subsidies and three Fifteenths, and after four Subsidies and three Fifteenths, and of the Letter he sent them the 9th of June, to speed the passing these Supplies; and how that the House, being abused by the violent and ill-advised Passion of a few Members, never so much as admitted one Reading to the Bill of Subsidies, but voted a *Remonstrance*, or *Declaration*, which they intended to prefer to him (tho palliated with glossing Terms) containing many dishonourable Aspersions upon his Majesty, and upon the sacred Memory of his deceased Father; which his Majesty taking for a Denial of the promised Supplies, upon mature Advise ment he dissolved them. *But from whence should this mature Advise ment come? We do not find the Privy Council had any hand in it, and the House of Lords petitioned against it.*

But lest the Credit of this Declaration should not find Faith enough against the Commons Representatives, the King sends a Proclamation after it, wherein he takes notice of a *Remonstrance* drawn by a Committee of the late Commons, to be presented to him, wherein are many things to the Dishonour of himself, and his Royal Father of blessed Memory, and whereby, through the fides of a Peer of this Realm, they wound their Sovereign's Honour; and to vent their Passions against that Peer, and prepossess the World with an ill Opinion of him, before his Case was heard (*who hinder'd it*) had scatter'd Copies of it. Wherefore the King, to suppress such an unsufferable Wrong, upon pain of his Indignation and high Displeasure, commanded all who had Copies thereof to burn them. *But why was not the Duke's Cause heard? and who dissolved the Parliament to prevent it? Had not the Earl of Bristol answered every Particular of the King's and Duke's Charge against him? And was there not an Order of the House of Lords, the Duke should answer the Earl's Charge against him? Where is this Answer to be found? and why was it not?*

Now see the Justice of this King, and how he made good his Promise in his Declaration, that he would so order his Actions, as should justify him, not only in his own Conscience, but to the whole World; for the very Day the Parliament was dissolved, he committed the Earl of Bristol Prisoner to the Tower, and left the Duke free, to pursue his ungodly Designs.

Here I'll stay a little, and add this Augmentation of Honour to the Escutcheon of this noble Earl, notwithstanding this Usage: For when the Long Parliament, in 1640, had put a full Stop to the King's *Absolute Will and Pleasure*, which if it had not, God only

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knows where it would have ended ; and after that this King's Flatterers and Favourites, his Lord Keeper *Finch*, and Secretary *Windebank*, had run into other Countries, to save themselves from being hanged in this ; and that the Earl of *Manchester*, after he had flatter'd this King and his Father in all the Shapes of Earl, Viscount, Baron, Lord Chief Justice, Lord Privy Seal, Lord Treasurer, and Lord President of the Council ; and his Son, and the Earls of *Pembroke* and *Holland*, and both the Sir *Henry Vares*, Father and Son, and Sir *Henry Mildmay*, &c. sided with the Parliament against the King ; yet this noble Earl followed the King in all his Adversity, however he had been persecuted by him in his Prosperity.

The late Keeper, as he gave his Opinion against the War with *Spain* in King *James's* Reign, so did he against the Expedition against *Cales* in this King's Reign : his Reason was, which you may read in the second Part of his Life, fol. 65. *That the King must make himself sure of the Love of his own People at home, before he bid War to such a rich and mighty Nation.*

But the Keeper's Counsels were as much feared and hated by the Duke, as *Bristol's* and the Commons Articles were against him ; and therefore he resolv'd to be rid of them all, and pursue the King's and his own Designs, without any Controul ; and the very same Day the Parliament was dissolved, he caus'd the Earl of *Bristol* to be committed to the Tower, as you may see in *Stow's Chronicle*, fol. 1042. Nor would he have his Renown and Valour less known abroad, than his Justice at home ; and *France* shall now be the Theatre upon which he will act it, in spite of *Spain*, or the Parliament and Nation of *England*, without whose Assistance he will act Wonders, by his own Power, and in Vindication of his own Honour : however, some Cause must be shew'd by others, since the Duke conceal'd the true Cause.

Rushworth, fol. 427. makes the Causes of this War to begin between the Priests of the Queen's Family, and the Bishops, by Articles of Agreement upon the Marriage ; and that the Pope had declared them Apostates, if they should seek for any Establishment from the King, being an Heretick ; and that the Queen sided herein with the Priests against the King, and that Unkindnesses hereupon grew between them ; so as the King inform'd his Brother of *France*, he could no longer bear them. And much to this purpose has Mr. *James Howel* in the Life of *Lewis XIII.* fol. 75.

But these were but Pretences for this War ; the Cause was of another Complexion : And herein we will cite the Authority of the great *Nani*, who had better Means to enquire into the Causes than either *Rushworth* or *Howel*, and was not bias'd by Interest, Affection, or Flattery.

You have heard before of the Emulation between *Richlieu* and *Buckingham*, and of their Inclinations for the Queen's Favour, and of the Queen's noble Aversions to them both : but I think *Nani* was therein a little mistaken ; for, if I be not misinformed, as I think verily I am not, when *Buckingham* came out of *France* with the Queen of *England*, he left, or soon after sent Sir *Balthazer Gerbier* to hold secret Correspondence between the Queen and himself ; and tho *Richlieu* watch'd *Gerbier* narrowly, yet he brought the Queen's Garter, and an exceeding rich Jewel to *Buckingham* from her.

Upon the breaking out of the Feuds in the Queen's Family, which began almost as soon, if not before it was settled, *Buckingham* prevails with the King to be sent into *France* to compose them, which was granted. But *Nani* says, the true Motive of *Buckingham's* Journey being ascribed to Love, contracted in that Court, *Richlieu* perswaded the King to refuse him Entrance into the Kingdom. The Rage hereupon of the other was inflamed to extremity, and swore, since he was forbidden to enter in a peaceable manner into *France*, he would make his Passage with an Army.

Here you see the Duke was under a double Obligation, of Love and Honour ; and since he could not attain his End in Love, it's remarkable by what Steps he proceeded to make good his Oath and Honour of entering into *France* with an Army ; which will be better observed if they be look'd upon in their Circumstances.

It was the 16th of *August* 1625, in the first Year of the King's Reign, as you may see in *Rushworth*, fol. 335. that *Buckingham* caused the Captains of the Fleet under the Command of Vice-Admiral *Fennington*, to deliver it into the French Power to fight against the *Rochellers* ; and while the Fleet was thus in the French Power, and after the Duke had received the horrible Affront of being denied Entrance into *France* in a peaceable and loving manner, about *Michaelmas* following, viz. about six Weeks after the delivery of the Fleet, the Duke, as Lord High Admiral of *England*, by an extraordinary Commission, seized the *St. Peter* of *New-haven* (*John Mallerow* Master) laden with Goods, Merchandise and Money, to the value of 40000 *l.* upon the account of *Monsieur Villiers*, Governor of *New-haven*, and other French Merchants, as Prize ; and the Duke took out of the said Ship sixteen Barrels of *Cochineal*, eight Bags of Gold, three and twenty Bags of Silver, two Boxes of Pearl and Emeralds, a Chain of Gold, and Monies and Commodities to the value of 20000 *l.* and delivered them to *Gabriel Marsh* his Servant : Whereupon there was an Arrest of two *English* Merchant Ships in *New-haven* upon the 7th of *December* following, viz. 1625. whereupon by a Petition from the Merchants, the King ordered, *December* the 28th, that the Ship and Goods belonging to the *French* should be re-delivered

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to the *French*; upon this the Court of Admiralty decreed upon the 16th of *January* following, that the Ship with all the Goods (except three hundred *Mexico* Hides, sixteen Sacks of Ginger, one Box of gilded Beads, and five Sacks of Ginger) should be released from further Detention, and delivered to the Master; yet the Duke not only detained to his own use the said Gold, Silver, Pearl, Emeralds, Jewels and Money, but upon the 6th of *February* following, without any legal Proceedings, caused the said Ship to be again arrested and detained, as you may see in *Rushw.* f. 312. And here began the seizing of our *English* Ships in *France*, which the Duke makes one of the Causes of the War.

Object. But this is but a Charge of the Commons upon the Duke, and therefore no direct Proof.

Answer. It is not to be presumed the Commons would have charged these things thus particularly and positively without Proof; and I say moreover, they are to be taken for Truth, since the King did dissolve the Parliament, rather than the Duke should come to his Trial upon the Commons impeaching him hereupon; and 'tis worth Observation, to see how without Counsel, and by contrary Extreams, the King and Duke engaged in both the Wars against *Spain* and *France*.

The Bishop of *Litchfield*, in the second Part of the Life of the Lord Keeper *Williams*, f. 4. tit. 2. says, The next day after King *James's* Death, the King and Duke were busied in many Cares, but the chief was, for the Continuation of the Parliament at King *James's* Death: the Keeper shewed that the Parliament determined with the Death of the King; then the King said, *Since Necessity required a new Parliament, his Will was that Writs forthwith be issued out of Chancery for a new Choice, and not a day lost.* The Keeper hereupon craved leave to be heard, and said, It was usual in times before, that the King's Servants and Friends did deal with Counties, Cities and Boroughs where they were known, to procure a Promise for their Elections before the precise time of any insequent Parliament was published; and that the same Forecast would be good at this time, which would not speed if the Summons were divulged before they look'd about them. The King answered, *It was high time to have Subsidies granted for the War with the King of Spain, and the Fleet must go forth for that purpose this Summer.* To which the Keeper replied in few words, and with so cold a Consent, that the King turned away and gave him leave to be gone, whereas the King dissolved this Parliament, and lost four Subsidies and three Fifteenths, to save the Duke, and make War upon *France*.

Concealing the true Reason for this War with *France*, the Duke in his Declaration gives two other Reasons of it; the first was, the refusal of *Mansfield* to land his Army at *Calais*, according to Agreement, whereby the Design for the recovery of the *Palatinate* was frustrate. *But why must this be a Reason at this time of day? for this was done in the Reign of King James; and when the Treaty of the Marriage with France was in being, Why was not then the Treaty broke off upon it? And why after this in King Charles's Reign, was the English Fleet put into the Power of the French to subdue the Rochellers, and this Business of Mansfield's not so much as taken notice of?*

The second Reason was, The French seizing our *English Merchants Ships* in their Ports. *But this was after the Duke had seized and made Prize of the St. Peter of Newhaven; so here the Duke begins making Prize upon the French, and makes War upon them for doing so by the English.* However we have here a Declaration and Reason of a War against the *French*, such as 'twas, tho none could be had for the War with *Spain*.

Here you may see the unhappy Fate of Princes who treat their Subjects as Enemies, and their Flatterers and Favourites as their only Friends and Confidants: for notwithstanding the King's ill Success last Year to *Cadiz*, and the King's Complaint for want of Money in the Exchequer, and the ill terms he was at with his Subjects, not only to be put upon making a War against the King of *Spain* and the Emperor, but now also against the King of *France*, and to have none but *Buckingham, Laud, &c.* and their Parasites to support him in all these Wars; and what could Human Wisdom foresee of any good Success in them, being against three the most potent Princes in *Christendom*?

For the Charges to maintain these Wars, almost against *Christendom*, the King requires a Benevolence of the Subject, and the Nobility to lend freely: Demands a Loan of 100000 *l.* from the City of *London*, charges the Ports of *England* to furnish Ships upon their own Charges, issues out Privy-Seals for Benevolences in proportion to the four Subsidies and three Fifteenths voted by the Commons, grants a Commission to execute Martial Law, bills Souldiers, and makes the Country pay their Quarters; the Rich who refuse to pay the Loans are assessed, and bound over to answer at the Council-Table, and the other press'd for Souldiers. These were the Ways this King took to justify his Integrity for the Weal of the Kingdom, so as to satisfy not only his own Conscience, but his People, and the whole World, as he promised in his Declaration for Dissolution of the Parliament.

But lest the King's Royal Proclamation for these things should be stumbled at, or disputed, *Sibthorp* and *Manwaring* (two special Favourites of *Laud*) are set on work to preach, that the King

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is not bound to observe the Laws of the Land in his Government; and that his Royal Will in imposing Loans and Taxes does oblige the Subject's Conscience upon Pain of Eternal Damnation.

Tho these things were settled to the Duke's Heart's Content, yet he had a Jealousy, that in his Absence the Arch-bishop of *Canterbury* might give the King such Counsel, as might spoil all the Glories of the Duke's Designs; and therefore to remove him not only from the Council-Table, but far enough out of the way from coming into the King's Presence, is the Design: but to put some colour upon it, it was resolved, That the King, by a special Message, should order the Arch-bishop to license *Sibthorp's* Sermon under his own Hand.

The Arch-bishop at this time was sorely afflicted with the Stone, and kept his Bed; when Mr. *Murray* brought the King's Command to him, the Bishop could not forbear to take notice of the piece of Drudgery to be put upon him, the like whereof was never enjoined to any of his Predecessors, yet desired my Lord *Conway* to leave the Sermon with him some small time to peruse, which my Lord did.

The Bishop, instead of licensing the Sermon, made Observations upon it, how false and inconsistent the Parts of the Sermon were to one another, and how contrary to Antiquity and the Authority of the Scripture; for one part of the Sermon justified *Ahab's* taking away *Naboth's* Vineyard, and he desired to be satisfied about his Objections before he licensed the Sermon.

This gave the desired Offence: for upon the Arch-bishop's refusal to license the Sermon, the Bishop of *London* (who had allowed *John Cosins* his Book, called, *The seventh Sacrament*, with all the Errors which were after expunged) gave it a great and stately Allowance, and *Land* was ordered to answer the Arch-bishop's Objections, and had the Bishops of *Durham*, *Oxford* and *Rochester* to be his Assistants in it; and to this the Arch-bishop must reply without seeing the Answer, which if he might see, he said he would batter it all to pieces; which being denied, you may read in *Rushw. f. 446, 447.* how the Arch-bishop did batter it all to pieces upon Mr. *Murray* his reading it.

For this special piece of Service in answering the Arch-bishop's Objections, the Bishop of *Durham*, and *Land* of *Bath and Wells* were made Privy-Counsellors; and for the Arch-bishop's refusal to license *Sibthorp's* Sermon, he was not only banished to his House at *Ford*, five Miles beyond *Canterbury* (a moorish unhealthy Place) and that before he could lay in his Provisions for House-keeping, but the Office of High-Commission is taken from him, and the Exercise of it committed to the Bishops of *Durham*, *Oxford*, *Rochester*, and *Bath and Wells*, which had so well answered the Arch-bishop's Objections to *Sibthorp's* Sermon: And now things are thus settled at home.

In July the 27th the Duke is commissioned Admiral, and General of a Navy Royal of 100 Sail, and 6 or 7000 Land Souldiers: and when he came before *Rochel*, *Sobiez* came aboard of him, where, for several Reasons, it was agreed to land the Army on the Isle of *Oleron*, and not on the Isle of *Rhee*; but *Sobiez* going to perswade the *Rochellers* to join with the *English*, the Duke before his return lands on the Isle of *Rhee*, in spite of the Opposition made by the *French*; but instead of pursuing the Blow, not only neglects to take the Fort *la Prie*, to secure his Retreat, and prevent the *French* from landing Supplies, but stays five days, whereby *Toiras* the *French* Governor encouraged his Men, and also got more Force and Provisions into the Cittadel of *St. Martins*. The *French* were so alarm'd at this Invasion, that the King offered the Duke of *Rohan* and the *Rochellers* any Terms to join against the *English*, which both refusing, caused both their Ruins.

So that the Duke having made three false Steps, viz. his deceiving *Sobiez*, his not marching after landing, and not taking in the Fort *la Prie*, now let's see a fourth. The Enemy's Retreat upon the landing of the *English* was so hasty, that they quitted a Well about twenty Paces from the Counterscarp which supplied the Cittadel with Water; which not being possess'd upon the first coming of the Army, the *French* drew a Work about it which the *English* could not force, and without which Well the besieged could not have subsisted; however, the Duke resolved to take the Fort by Famine.

We have marked four false Steps the Duke made; now observe the fifth, which was the loss of the whole Army, and ruin of all the Protestant Party in France: for instead of the *French* joining with the *English* for the recovery of the *Palatinate* by Land, the *Spaniards* now join the *French* against the *English* by Sea, to relieve *St. Martins*; and the Duke instead of pressing the Fort by a strait Siege, entertains a Treaty of Surrender with *Toiras*, and several Compliments pass between them, subscribed, Your humble Servant, *Buckingham*; and, Your humble Servant, *Toiras*; till *Toiras* got Relief of Men, Victuals and Ammunition, and then *Toiras* broke off the Treaty with the Duke.

Soon after the *French* landed Forces, by the neglect of the *English* to suppress them, and Orders were given to draw the *English* out of the Trenches, which the *French* possess; whereupon the *English* were forced to retreat, and fight the *French* to regain the Trenches: at last the 6th of November, the Duke makes a vain Storm upon the Castle, and was beaten off; and upon the 8th the Duke retreats, the *French* being now equal to him in Foot, and Superiour in Horse: when the *English* were intrangled in their Retreat, the Duke having neglected to take *la Prie*, or build a Fort upon a narrow Lane and Causey (to secure their Retreat) the

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French charged the *English* Horse in the rear, and rout them, who rout the Foot in the narrow Passages between the *Salt-pits*; those that escaped were lost in the *Salt-Pits* and Ditches, and the Crowd was so great in passing a Bridge, that many were drown'd in the River: yet in this Confusion and Adversity the Bravery of the *English* appear'd; for a few having past the Bridge, the *French* following, the *English* rallied, and faced about to charge the *French*, who cowardly retreated over the Bridge.

Except this little Action, yet as great in Fame as any other, the *English* Nation never received like Dishonour, as in this loose and unguided Conduct of this lascivious Duke in this Expedition, of whom it may be truly said, he was

*Mars ad Opus Veneris,
Martis ad Arma Venit.*

Home he comes, and finds things as much in Disorder here, as he had left them in Dishonour abroad: the Prisons full of the most eminent Gentry of *England*, by a special Warrant from the King, for refusing to lend, as they were assels'd by the Commissioners for the *Loan*, and Bail denied them upon return of their *Habeas Corpus*'s. An Army was kept on foot, when this Expedition had consumed all that which should have paid them, which had not been done in 80 Years before; the People fearing this was more to enslave than defend them.

In this Confusion Sir *Robert Cotton*'s Advice is called for by the King and Council, what's to be done; who in a long and well composed Speech, beginning at *Charles* the 5th, sets forth the Design of the House of *Austria*, to attain an universal Monarchy in these Western Parts of *Europe*: How the Design was first check'd by *Henry* the 8th against *Charles*, but more by Queen *Elizabeth* against his Son *Philip* the 2d, they following a free Council, and thereby winning the Hearts of a loving People, ever found Hands and Money for all Occasions. That the only way to raise Money speedily and securely, was the *Via Regia* by Parliament; other ways were unknown, untrdden, rough, tedious, and never succeeded well. That Religion lies nearest the Conscience of the Subject, and that there was a Jealousy of some Practices against it: and that tho the Duke of *Bucks* had broken the *Spanish* Match out of a Religious Care that the Articles demanded might endanger the State of the Reformed Religion, yet being an Actor in the *French* Match, as hard if not worse passed than those of *Spain*.

Sir *Robert* goes on, and enumerates the Miscarriages in these two last Years, the Waste of the King's Revenue, the Pressures upon the publick Liberty of the Subjects, in commanding their

Goods without Consent in Parliament, imprisoning their Persons, without special Cause shewed; and this made good against them by the Judges. How to obviate these he leaves to the prudent Consideration of the Council, but like old Sir *Charles Harbord*, he wishes that the Duke might appear to be the first Adviser for calling a Parliament, so that the People may be satisfied, this Parliament should be called by the zealous Care and Industry of the Duke.

Now the Hopes of getting Money by calling the Parliament, works more than the Laws of God, or sacred Justice could do: for upon the 29th of *January*, Writs are issued out for the Assembling of a Parliament, to meet the 17th of *March* following; the Prison-Doors are opened, for the imprisoned Gentry to go abroad; the Arch-bishop, the Earl of *Bristol*, and Bishop of *Lincoln* (who tho now in Disgrace, was the first Raiser of *Laud*, after Bishop of *London*, and Arch-Bishop of *Canterbury*) have Writs to sit in Parliament.

But see the Unstability of Resolutions not founded in Truth, Justice or Prudence: for the next Day after the Writs for summoning the Parliament were agreed, the King, *January* the 30th, granted a Privy-Seal to *Burlemach*, for 30000 *l.* to be returned to Sir *William Balfour*, and *John Dalbier*, for raising a thousand *German* Horse, with Arms both for Horse and Foot, to be sent into *England*, *February* the 28th, where was an Army already upon free Quarter, and after grants a Commission to 23 Lords and others to raise Money upon Impositions, or otherwise.

Thus things stood in the State before the Meeting of the Parliament. Now let's see how they stood in the Church. *Barneveldt* having headed a Faction in *Holland*, which called themselves *Arminians*, and designing by them to have deposed the Prince of *Orange*, lost his Head for it about four Years before; now on the contrary, the *Arminian* Faction here, which called themselves the Church of *England*, ascribed all Dominion to the absolute Power of the King: The Principals of this Faction were *Neal* Bishop of *Winchester*, *Laud* Bishop of *Bath* and *Wells*, and *Richard Mountague* afterwards advanced to the Bishopricks of *Chichester* and *Norwich*; this Faction was headed by the Duke. At this time the Jesuits had taken a House at *Clarksenwell*, designing to make a College of it, who in a Letter to the Father *Refior* of the Jesuits at *Brussels*, boast that they had planted the sovereign Drug *Arminianism*, which they hoped would purge the Protestants from their Heresy, and that it flourished, and bore Fruit in a due Season; and they proceeded by Counsel and Consideration, how and when to work upon the Duke's Jealousy and Revenge; and in that they gave the Honour to those who merit it, which were the Church Catholics: they assured themselves, they had made the

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Duke and the Parliament irreconcilable ; and that they have those of their Religion, who stand continually at the Duke's Chamber, to see who comes in, and who goes out: They glory how admirably in their Speech and Gestures, they act the *Puritans*, and the *Cambridg* Scholars shall find by woful Experience, they can act the *Puritans* better than they have done the *Jesuits*: That their Foundation is *Arminianism*, that the *Arminians* and Projectors affect Mutation.

Having thus laid the Foundation for propagating their Religion, the *Jesuits* next Care was for the State ; and in the first place they consider the King's Honour and Necessities, and shew how the King may free himself of his Word, as *Lewis* the 11th did, and for greater Splendor and Lustre ; how he may raise a great Revenue, and not be beholden to his Subjects, which was by way of Excise, which must be by a mercenary Army of Horse and Foot. For the Horse they had made sure they should be Foreigners and *Germans*, who would eat up the King's Revenue, and spoil the Countries wheresoever they came tho they should be paid ; What Havock then will they make there when they get no Pay, or are not duly paid ? they will do more Mischief than we hope the Army will do.

This mercenary Army of 2000 Horse and 20000 Foot was to be taken into pay before the Excise be settled. In forming the Excise, the Country is most likely to rise ; if the Mercenary Army subjugate the Country, the Soldiers are to be paid out of the Confiscations ; they hope instantly to dissolve Trade, and hinder the Building of Ships, by devising probable Designs, and putting the State upon Expeditions, as that of *Cadiz*, and in taking away the Merchants Ships, so that they may not easily catch, and light upon the *West-India* Fleet.

A Jesuit and nine Priests were taken with this, and many other Papers, which were delivered to Sir *John Cook*, Secretary of State ; the Jesuit was condemn'd, but reprieved by the King, because Sir *John Cook* said, *The King delighted not in Blood*: and afterward the nine Priests were released by special Warrant from the King ; and the King in his Reasons for dissolving the Parliament, makes the House of Commons Enquiry into this Business to be an exorbitant Encroachment and Usurpation, such as was never before attempted by that House. By this you may see the Religious care this pious Prince had for the Church of *England*, and how much he regarded the Laws of *England*, or minded the Support of the poor Protestants in *France*, or the Re-establishment of his Brother-in-law in the *Palatinate*.

Thus stood things when the Parliament met the 17th of *March*, when the King (as Men in a deep Lethargy, no ways sensible of their Pain, or the dangerous State they are in) not considering the

the dangerous State he was in both abroad and at home; Abroad, in that he had made War upon the King of *Spain* without any Declaration of War, and that against his Father's Advice, and of his Council; and upon the King of *France*, wherein himself and his Favourite *Buckingham*, were the Aggressors; at Home by his unheard of Invasions upon the Fortunes and Liberties of his Subjects, never before done by any King of *England*, in the short Interval of these two Parliaments, (scarce being 9 Months) upon the Opening of the Parliament, far unlike his Father in the last Parliament of his Reign, when his Case was not near so dangerous as this King's (tho' their Necessities were equal, to get Money by Parliaments, when they could get it no other Way) begins his Speech.

My Lords and Gentlemen,

These Times are for Action: wherefore for Example sake I mean not to spend much Time in Words, expecting accordingly that your (as I hope) good Resolutions will be speedy, not spending Time unnecessarily, or (that I may say) dangerously; for tedious Consultations, at this Conjunction of Time, are as hurtful as ill Resolutions.

I am sure you now expect from me, both to know the Cause of your meeting, and what to resolve on; yet I think there is none here but knows, that common Danger is the Cause of this Parliament, and that Supply at this time is the chief End of it, so that I need but point to you what to do. All this but of Supply is Mysterious and General, and had need of an Interpreter.

The King goes on, and says, I will use but few Perswasions; for if to maintain your own Advices, and as the Case now stands for the following thereof, the true Religion, Laws and Liberties of this State (never so violated by any King of *England* before him) and the just Defence of our true Friends and Allies, be not sufficient, then no Eloquence of Men or Angels will prevail.

What Parliament, or any other Council but that of *Buckingham*, advised him to make War, either upon the King of *Spain* or *France*? search all the Records of the Journals of Parliament of 21 Jac. and *Rushworth*, *Franklin*, and *Bishop of Litchfield*, and see if in any one of them there be one Sentence of making War against the King of *Spain*, but only to break off the Treaty with the *Spanish* Match, and for the *Palatinate*. But admit the Parliament had upon the Misinformation of the King and Duke, advised the King to have made War upon the King of *Spain*; yet since the Earl of *Bristol* so shamefully blasted the whole Story not a Year since in open Parliament, without any Reply; How was this Parliament obliged to have made good what that had done? And since the King dissolved the last Parliament, rather than the

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the Duke should be brought to Trial upon the Earl's Charge, which was a Failure of Justice, sure it had been more to the King's Honour, not to have mention'd this to the Parliament, than that what he had done was by their Advice.

Did this Parliament, or any other, ever advise him to put the Fleet under the Command of Vice-Admiral Pennington into the French King's Power, to subdue the poor *Rochellers*, who never did him any wrong, to the Ruin of the Reformed Interest in France, and to be the Foundation of the French Grandeur by Sea; and then on the contrary, make War upon the French King, when he was the Aggressor? Did ever this, or any other Parliament, advise him to take his Subjects Goods by force, without and against Law, and imprison their Persons by his Absolute Will and Pleasure, denying them the Benefit of their *Habeas Corpus's*, the Birth-right of the Subject, and to continue them Prisoners during his Will, without allowing them a Trial by the Laws, whether they were guilty of any Crime or not? Or to execute Martial Law, impose new Oaths, and give Free-Quarter to Soldiers, in his own Kingdom, in time of Peace?

However, the King goes on, and says, *Only let me remember you, that my Duty most of all, and every one of yours according to his Degree, is, to seek the Maintenance of the Church and Commonwealth; and certainly there never was a time in which this Duty was more necessarily required than now.*

Was the Discharge of the Pack of Jesuits, conspiring the Ruin of Church and State with Impunity, for the Maintenance of the Church and Commonwealth? Or was the Commission which the King granted the next Day after the Writs for the Assembling the Parliament, to raise Monies by Imposition in the nature of Excise, to be levied throughout the Nation, for the Maintenance of the Church and State? And at the same time to order my Lord Treasurer to pay 30000 *l.* to Philip Burlemac, a Dutch Merchant in London, to be by him returned into the Low-Countries, by Bill of Exchange, to Sir William Balfour and John Dalbier, for the raising of 1000 Horse, with Arms both for Horse and Foot, for the Maintenance of the Church and Commonwealth of England? And also to call a Council for levying Ship-Money, now he had by his own Will taken the Customs without any Grant of Parliament, for the Maintenance of the Church and State?

I therefore judging a Parliament to be the antient, speediest, and best way, in this time of Common Danger, to give such Supply as to secure our selves, and save our Friends from imminent Ruin, have called you together. Every Man must do according to his Conscience; wherefore if you (as God forbid) should not do your Duties, in contributing what the State at this time needs, I must, in Discharge of my Conscience, use those other means which God has put into my hands, to
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save that which the Follies of particular Men may otherwise hazard to lose.

It's certain a Parliament is the best way, in time of *Common Danger*, to give Supplies, and secure the Nation from imminent Ruin, the Nation being most concerned in it; yet what Parliamentary Advice did the King take the last nine Months? If the Nation and the King's Friends be in such imminent Ruin, the King should have declared who those Friends were, and who they were which threatened this Ruin. When his Father died he was at Peace with all the World, and it was his own Wilfulness, that without any other Counsel but that of *Buckingham*, he made War upon *France* and *Spain*: and let any Man read the Passages of the short time of his Reign, and judg if the imminent Ruin of the Nation were not from himself within, as well as without; and if the granting him further Supplies, would not more endanger the Nation, in carrying on his Designs in both.

Here note, Tho the King had made no Conscience of what he had done, yet he now tells the Parliament, If they shall not do their Duties in contributing what the State at this time needs, he must, in Discharge of his Conscience, use those other Means which God hath put into his hands, to save that which the Follies of particular Men may other ways hazard to lose. The King should have explained what other ways God put into his hands to govern his Subjects, than by Justice, Judgment, and Righteousness; for all other ways are unjust and wicked. And how any Man, how great soever, can plead Conscience to perpetrate Injustice and Wickedness, must be unfolded by *Laud*, *Neal*, *Sibthorp*, *Manwaring*, *Mountague*, *Wren*, *Heylin*, &c.

The King proceeds, and says, *Take not this for a Threatning, (for I scorn to threaten any but my Equals) but an Admonition from him that both out of Nature and Duty has most Care of your Preservations and Prosperities.*

This is *Humano capiti cervicem jungere equinam*. What a Monster does the King here make a Parliament? the Head so incomprehensively big, and the Body so scornful and little? But if it ill becomes any Man to glory in his own Actions, it worse becomes him to glory in that which he himself had not done. So that admit the King had been so superlatively great, as to scorn all the World besides, yet it would better have become any other to have said it, than the King. A Parliament is a Political Body, whereof the King is the Head; and the Lords Spiritual and Temporal, and the Representatives of the Commons, the Body; and, What is the Head without the Body? Are not all the Members of every Body of Use for the Head? And does not the Head stand in need of every Member of the Body? But if the Head be overgrown, and too big, and the Body too scornful and lean, is not this not only

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monstrous, but a Symptom of the Imperfection of the whole, and that it is in a declining and dangerous State?

Yet the King tells them, The End of calling this Parliament was for Supply. And did ever King, or other Man, before him, tell those from whom he expected Supply, or any other Benefit, that he scorn'd them? and if they do not their Duties, he would use other Means which God had put in his hands, without telling what those other Means were? and call them Fools, and particular Men, if they do not their Duties, to save what they may otherwise hazard to lose? whereas heretofore the Kings of England ever thank'd the Parliament upon a Bill for Aids.

But after all this, the Parliament must not take it for a Threatning, but an Admonition. An Admonition may be taken in a double Sense; either to instruct another in his Duty, or to menace or threaten another, if he continues obstinate in some Fault or Crime committed by that other: But this Admonition of the King's in the Parliament, must not be taken for a Threatning of them, therefore it must be for their Instruction, ignorant of their Duties.

A Parliament was called by the Saxons *Wittenage-Mote*, or the *Conventus Sapientum*, the Meeting of Wise Men, who met together to deliberate of the arduous and urgent Businesses of the Kingdom, and concerning the State and Defence of the Kingdom and Church of England, and is called the *Common Council* of the Kingdom, and the *General Council* of the Kingdom, and the *Council* of the Kingdom. See 4th Institute 2. And tho the Writ of Summons of Parliaments be *Ad Traſtandum & Deliberandum de certis arduis Regni negotiis, & pro ſtatu & deſenſione Regni & Eccleſiæ Angliæ concernentibus*; yet the Parliaments of England, unlike the Convention of the State of Scotland, are not tied up to those things only which the King propounds, but are free to treat and deliberate of all things which other ways concern the Kingdom and Church of England. So that the great End of the Meeting of Parliaments, is to advise the King: And all our Saxon, Norman, and British Kings, had ever Parliaments in so high an Esteem, that we do not read any where, before these two Kings of the Scottish Race came to reign over us, that ever any King and Parliament parted in Disgust; whereas since King James came to be King, five or six parted in Disgust; and God knows what would have become of the other, if King James had not died before the Parliament met again.

Did ever any King of England before, tho he scorn'd to threaten the Parliament, yet admonish them of their Duties, or otherwise he would use those other means than by Parliament, which God had put into his hands? But *Quorsum hæc?* or where will the Designs of this young King stop? However, you may see by this
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Speech of the King's, that those who govern'd him were as little Politicians as Orators.

But good Laws often arise from corrupt Times and bad Manners: for *Magna Charta* did arise from the Usurpations of K. *John*, and *Henry III.* above the Laws and Liberties of this Nation; so did the *Petition of Right* the *Magna Charta* of this Age, from the Usurpations of this King, since the Dissolution of the last Parliament to the Meeting of this, little more than nine Months.

And as the old *Magna Charta* was no new Law, but a Declaration of the old, restored by *Henry II.* King *John's* Father, called the *Avita Leges*; so neither was the *Petition of Right*, which enumerates the Breaches the King had made of *Magna Charta*, and manifold other Laws, before it prays Relief against them.

But these *Magna Charta's* were obtained after different manners, the old by cruel Wars: The Doctrines of *Passive Obedience*, and submitting to the *Absolute Will and Pleasure* of the King, were Strangers to those Days; and the Bishops were so far from those Doctrines, that they were the chief Promoters of *Magna Charta*, and stigmatized the Infringers of it, the King himself not excepted, with a dreadful *Anathema*.

Whereas neither *Rome* nor *Athens* could ever glory in such an Assembly as the Commons of this Parliament were, for their Virtue and Learning; nor any Age produce such a number of Men of the like Integrity to their Country, and humble Obedience to their Prince. Notwithstanding the former Abuses of this Reign, they proceeded with no Censures and Punishment of the King's evil Ministers (except Dr. *Manwaring*) but only to represent to the King the Grievances of the Nation; and did not impeach the Duke of *Buckingham*, as they did in the last Parliament, nor proceed upon it, but only remonstrated to the King the Evils which the exorbitant Greatness of the Duke brought upon the King and Nation; and how unsafe it would be to the Nation, to grant Aids to the King which were misemployed for the exalting the Grandeur of the Duke. However, before they entred upon Grievances, they voted the King five entire Subsidies; which was the greatest Tax that ever was before given to any King of *England* at once, and to be paid in the shortest time. Now let's see, tho but in Epitome, how these things were changed, and what Returns the King made the Parliament and Nation.

The Unanimity of the Commons in the Gift, was not less than the Gift was great, being *nemine contradicente*; which so pleased the King, that he sent them word by Secretary Sir *John Cooke*, that he would deny them nothing of their Liberties which any of his Predecessors had granted them.

Then the Commons fell upon Grievances, and voted the Imprisonment of any Free-man by Warrant from the King or Council,

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cil, without a Cause alledged, to be a Grievance; and that the raising Monies by Loan, and imposing an Oath upon the Subject to discover the Value of his Estate, the Billering of Soldiers, and exercising Martial Law in time of Peace, were Grievances.

Then several Debates arose in the House, how the Subjects should be secured against these in time to come. And upon the Motion of Sir *Edward Coke*, the House agreed to sue to the King by Petition, the most antient and humble Address in Parliament, that his Majesty would give his People Assurance of their Rights by Assent in Parliament, as he uses to pass other Acts. And hereupon the House ordered Sir *Edward* to draw a Petition accordingly.

The House agreed to the Petition; and ordered Sir *Edw. Coke*, Sir *Dudley Diggs*, Mr. *Selden*, and Mr. *Littleton* to carry it up to the Lords. The Duke of *Buckingham* and his Creatures were zealous to stop the Petition in the House of Lords: but he was much fall'n from his Lustre, since his dishonourable Expedition to the Isle of *Rhee* last Summer, and his Expedition to *Cales*. So as his Sway in the House of Peers was much abated: Besides, the Bishops were not at this time all of a piece; for Arch-bishop *Abbot* urged his own Cause, how he was banished from his Houses at *Croydon* and *Lambeth*, while the Duke was prosecuting his Voyage to the Isle of *Rhee*, and confined to a moorish Mansion-place at *Ford*, to kill him, and debarred from the Management of his Jurisdiction, and no Cause given for it. And Dr. *Williams* gave most learned and elegant Arguments for the Petition, which you may read at large in the second Part of the History of his Life, fol. 77, 78, 79. But this stuck close to him, that neither the King nor Land ever after forgot it; which you may read fol. 96. tit. 93.

The Lords would not proceed to any determinate Vote, before they had heard the King's Counsel against the Petition, and the Commons Defence of it; wherein no less time was spent than six Weeks. The Managers for the Petition, were Sir *Edward Coke*, Mr. *Selden*, Sir *Dudley Diggs*, Sergeant *Glanville*, Sir *Henry Martin*, and Mr. *Mason*.

Besides *Magna Charta*, the Commons fortified the Petition of Right with six other Acts of Parliament, explanatory of *Magna Charta*, viz. The Statute made in the Reign of *Edward I.* commonly called *Statutum de Tallagio non concedendo*; the Statute of 25 *Edward III.* where it is declared, That from thenceforth no Person shall be compelled to make any Loans to the King against his Will, because such Loans were against Reason, and the Franchise of the Land. The third was the Statute of 28 *Edward III.* That no Man, of what Estate or Condition soever, should be put out of his Lands or Tenements, nor Taken, nor Imprisoned, nor Disherited, nor put to Death, without being brought to Answer by due Process of Law. The fourth

fourth Statute, the 25 *Edw. III.* 9. and the sixth, 9 *Hen. III.* 29. against exercising Martial Law in times of Peace. These Statutes were so well managed by the Commons in Defence of the Petition, that Sir Robert Heath, who was Attorney-General, and the rest of the King's Counsel pleading, tho' eagerly, yet impertinently, had nothing to say materially against them, but submitted to the Judgment of the Peers.

However, the Lords, before they would put the Vote, entred into a Committee of the whole House, when my Lord Say moved, That those Lords who stood for the Liberties of the Nation, might make their Protestation, and that to be upon Record; and that the other opposite Party should, with the Subscriptions of their Names, enter their Reasons to remain upon Record, that so Posterity might not be to seek who they were that so ignobly betrayed the Freedom of our Nation: and this done, they should proceed to Vote. This struck such a Daunt upon the other Party, that not one of them opposed it.

The Lords agreed to the *Petition of Right*, but with this Addition, or Saving; *We present this our humble Petition to your Majesty, with the Care not only of preserving our Liberties, but with due Regard to leave entire that Sovereign Power wherewith your Majesty is trusted, for the Protection, Safety, and Happiness of the People.* But the Lords did not make any determinate Vote in it, but sent it to the Commons to advise upon. The Bishop of Lincoln was a great Stickler for this Addition, to qualify what he had said before in the Defence of the Petition; which did him no good, the other sticking *alta mente*.

When this Addition, or Saving, came down to the Commons, Mr. Noy said, *To add a Saving is not safe; doubtful Words may beget ill Construction; and the Words are not only doubtful, and Words unknown to us, but never used in any Act or Petition before.*

And Sir Edward Coke said, *This is the Multum in parvo, this is propounded to the Conclusion of our Petition: it is a Matter of great weight; and to speak plain, it will overthrow all our Petition: it trenches on all the parts of it: it flies at Loans, at the Oath, at Imprisonment, and Billeting of Soldiers: this turns all about again. Look into all Petitions of former times, they never petitioned, wherein there was a Saving of the King's Sovereignty. I know Prerogative is part of the Law, but Sovereign Power is no Parliamentary Word: In my Opinion, it weakens Magna Charta, and all our Statutes, for they are absolute without any Saving Power; and should we now add it, we shall weaken the Foundation of the Law, and then the Building must needs fall. Take we heed what we yield unto; Magna Charta is such a Fellow, that he will have no Sovereign: I wonder this Sovereign was not in Magna Charta, or in the Confirmations of it. If we grant this, by Implication we give a Sovereign Power above all*

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these Laws. Power in Law, is taken for a Power with Force : The Sheriff shall take the Power of the County : what is meant here, only God knows. It is repugnant to our Petition, grounded on Acts of Parliament. Our Predecessors could never endure a Salvo jure suo, no more than the Kings of old could endure for the Church, Salvo honore Dei & Ecclesiæ. We must not admit this ; and to qualify it is impossible. Let us hold our Privileges according to the Law : that Power which is above this, is not fit for the King or People to have it disputed further. I had rather, for my part, have the Prerogative asked, and I my self lie under it, than have it disputed.

Sir Thomas Wentworth said, If we admit of this Addition, we leave the Subject worse than we found him ; and we shall have little Thanks for our Labour when we come home. Let us leave all Power to his Majesty to punish Malefactors ; but these Laws are not acquainted with Sovereign Power. We desire no new thing ; nor do we offer to trench upon his Majesty's Prerogative. We may not recede from our Petition neither in part or whole.

Mr. Selden said, Let us not go hastily to the Question : if there be any Objections, let any propound them, and let others answer them as they think good : If it (the Saving) hath no Reference to our Petition, what does it here ? I am sure others will say it hath Reference, and so must we : how far it does exceed all Examples of former times, no Man can shew the like. Then he shews the manifold Statutes, besides Magna Charta, wherein is no such Saving. And whereas Mr. Speaker said, The King was our Heart, and ever shall be ; but then Mr. Selden said, We spake of the King's Prerogative, and we are bound to say so : but when we speak of our Rights, we are not to be imprisoned, Saving but by the King's Sovereign Power. Say, my Lands (without any Title) be seized into the King's hand, and I bring a Petition of Right, and I go to the King, and say, I do by no means seek your Majesty's Title ; and after that I bring a Petition or Monstrance de droit, setting forth my own Right and Title, and withal set down a Saving that I leave entire his Majesty's Right ; it would be improper. Then he cites many Statutes wherein there are Savings, but no ways pertinent to this, which you may read at large in Rushworth's Collections and Franklin's Annals. And, in truth, it troubles me, I am forced to curtail this, not only in Mr. Selden, but other Noble Persons, by reason the Treatise would swell to a greater Bulk than I designed it.

The Lords afterwards had a Conference with the Commons to fortify their Addition, managed by my Lord Keeper, which was answered by Mr. Mason : And after that, the Commons desired another Conference with the Lords, and ordered Serjeant Glanville to argue the legal part of the Petition, and Sir Henry Martin the rational part of it ; which they did so well, that at a Conference, May 26. 1628, between both Houses, the Lord Keeper from the

Lords told the Commons, the Lords agreed with them *in omnibus* of their Petition, only in the Alteration of two Words, *viz.* [Means] for *Pretext*, and for the Word [unlawful] (*not warrantable by the Laws and Statutes of the Realm*).

The Houses thus happily accorded, the Petition, with the fore-said Amendments, were read two several times in the House of Commons, and then upon the Question, voted to be engrossed, and read a third time, and the House to sit in the Afternoon till it was engrossed and read, and ordered to be presented to the King; in which there was not one Negative: And the Bill for the Subsidies was read a second time, and committed; and upon *Wednesday* the 28th, the Lords and Commons had a Conference about the Manner of Delivery of the Petition; and Sir *Edward Coke* reported, that their Lordships were agreed, That no Addition or Preface be used to the King, but that the Petition be preferred to his Majesty by the Command of the Lords and Commons; and that his Majesty be desired, to the Content of his People, he would give his Gracious Answer in full Parliament.

In all these Transactions the King was very uneasy; fain he would have the Money, yet was unwilling to answer the Petition. The House was aware of this, and therefore agreed the Petition before they would pass the Money-Bill. Upon the 12th of April, the King, by Secretary *Cook*, acquainted them of the Necessity of Supply, and expected some Fruit of what was so happily begun; but finding a Stop beyond all Expectation of so good a Beginning, the Secretary was therefore commanded to tell them, That without any further or unnecessary Delay, they proceed in this Business; and bid them therefore take heed, that they force him not to make an displeasing end of that which was so well begun. And two Days after the Secretary quickned the Business of this Supply again.

Upon the 2d of May the King sent a Message by Secretary *Cook*, That as he would rank himself amongst the best of Kings, wherein he has no Intention to invade or impeach our lawful Liberties; so he would have them to match themselves with the best of Subjects, not by encroaching upon that Sovereignty or Prerogative which God had put into his hands for their Good: and that this Sessions of Parliament must continue no longer than *Tuesday* come Seven-night at the farthest: and that his Royal Intention is, to have another Session at *Michaelmas* next, for the perfecting such things as cannot now be done. Now let's see how unwillingly the King was brought to pass the Petition.

Upon the 16th of May, Secretary *Cook* pressed the House to rely upon the King's Word, and that the King promised to govern them by the Laws, and that they shall enjoy as much Freedom as ever, and that this might be debated in the House: but Sir *John Elliot*

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Elliot answered, that the Proceedings in a Committee is more honourable and advantageous to the King and House, with whom the House agreed.

In the Debate of this Committee, some were for the Bill to rest, but *Sir Edward Coke's* Reasons prevailed to the contrary: Was it ever known, said he, that General Words were a sufficient Satisfaction to particular Grievances? Was ever a Verbal Declaration of the King, *Verbum Regni*? When Grievances be, the Parliament is to redress them: Did ever Parliament rely on Messages? They put up Petitions of their Grievances, and the King answered them: The King's Answer is very gracious, but what is the Law of the Realm, that's the Question. I put no Diffidence in his Majesty, the King must speak by Record, and in Particulars, not in General: Did you ever know the King's Message to a Bill of Subsidies? all succeeding Kings will say, You must trust me as well as you did my Predecessors, and trust my Messages; but Messages never came into a Parliament: Let us put up a Petition of Right, not that I distrust the King, but that I cannot take his Trust but in a Parliamentary way.

Hereupon the Commons desired a Conference with the Lords, which was managed by *Sir Edward Coke*, who said,

My Lords, it is evident what necessity there is, both in respect of your selves and your Posterity to have good Success in this Business; we have acquainted your Lordships with the Reasons and Arguments, and after we have had some Conference we have received from your Lordships Propositions, and it behoves us to give your Lordships some Reasons why you have not heard from us before now; for in the mean time, as we were consulting this weighty Business, we have received divers Messages from our great Sovereign the King, and they consisted of five Parts.

1. That his Majesty would maintain all his Subjects in their just Freedom, both of their Persons and Estates.
2. That he will govern according to his Laws and Statutes.
3. That we shall find much Confidence in his Royal Word: I pray observe that.
4. That we shall enjoy all our Rights and Liberties, with as much freedom as ever Subjects have done in former times.
5. That whether we think fit, either by Bill or otherways, to go on in this great Business, his Majesty would be pleased to give way to it.

These gracious Messages did so work upon our Affections, that we have taken it into deep Consideration. My Lords, what we had these Messages (I deal plainly, for so I am commanded by the House of Commons) we did consider what way would be our most secure way, nay yours: We did think it the safest way to go on in a Parliamentary

Course; for we have a Maxim in the House of Commons, and written in the Wall of our House, That old Ways are the safest and surest Ways: And at last we did fall upon that, which we think (if your Lordships did consent with us) the most antient of all, and that is, my Lords, the Via fausta, both to his Majesty, to your Lordships, and to our selves: For, my Lords, this is the greatest Bond that any Subject can have in open Parliament, Verbum Regis: That is a high Point of Honour, but this must be done by the Lords and Commons, and assented to by the King in Parliament: This is the greatest Obligation of all, and this is for the King's Honour, and our Safety. Therefore, my Lords, we have drawn the Form of a Petition, desiring your Lordships to concur with us therein, for we do come with an unanimous Consent of all the Commons, and there is great reason your Lordships should do so, for your Lordships be involved in the same Danger: and then the Petition was read.

Upon the 20th of May, the King wrote a Letter to the House of Lords, wherein he said, That as he had given leave to free Debates upon the highest Points of his Prerogative Royal, which in the times of his Predecessors were ever restrained, as Matters they would not have discussed, yet he finds it insisted upon, that in no Cause whatsoever he and his Council could commit without Cause shewed, which, if granted, would dissolve the Frame of the Monarchy: That as he had made fair Propositions to the Commons, which might easily preserve the Liberty of the Subject; so he thought good to let their Lordships know, that without the overthrow of the Sovereignty he could not suffer his Power to be impeached; yet that he will extend it beyond the just Rule of Moderation, &c. which he thought good to signify, the rather to shorten the long Debates upon this great Question, the Season of the Year being so far advanced, and his great Occasions of State not lending many more days for the continuance of the Session.

The same day the Lords communicated the Letter to the Commons, upon which Sir Thomas Wentworth said, it was a Letter of Grace, but the People will only like that which is done in a Parliamentary way, and the Debate upon it would take up much time; neither was it directed to the Commons, and the Petition of Right would clear all Mistakes; for some give out as if the House were to pinch the King's Prerogative, and so the Letter was laid aside. These were while the Petition was in debate, and before it was agreed to by both Houses; but after it was agreed upon, the second of June the King came into the House of Lords, and having sent to the Commons, said,

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Gentlemen,

I Am come hither to perform my Duty, I think no Man can think it long, since I have not taken so many days in answering your Petition, as you have spent Weeks in framing it. I am come hither to shew you, that as well in formal Things, as in essential, I desire to give you as much Content as in me lies.

Then the Lord Keeper said ;

MY Lords, and ye the Knights, Citizens and Burgeses of the House of Commons, the King hath commanded me to say unto you, That he takes it in good part, that in Consideration of settling your own Liberties, ye have generally professed in both Houses that ye have no intention to lessen or diminish his Majesty's Prerogative ; wherein as ye have cleared your Intentions, so now his Majesty comes to clear his, and to subscribe a firm League with his People, which is ever likely to be most constant and perpetual when the Conditions are most equal, and known to be so : These cannot be in a more happy State, than when your Liberties shall be an Ornament and Strength of his Majesty's Prerogative, and his Prerogative a Defence of your Liberties, in which his Majesty doubts not, but that both he and you shall take a mutual Comfort hereafter ; and for his part, he is resolved to give an Example in using his Power for the Preservation of your Liberties, that hereafter you shall have no cause to complain ; and that they here read their own Petition, and his Majesty's gracious Answer.

Then the Petition was read, to which the King answered, *The King willeth that Right be done according to the Laws and Customs of the Realm ; and that the Statutes be put in due Execution, that his Subjects may have no cause to complain of any Wrong or Oppressions, contrary to their just Rights and Liberties, to the Preservation of which he holds himself in Conscience as well obliged, as of his Prerogative.*

This Answer no ways satisfied the Commons : wheretupon Sir John Elliot made a pathetick and lively Representation of the Grievances of the Nation within, and of the Danger and Weakness of it by the Mismanagement and Abuse of the King's Ministers ; and therefore wished that it might so stand with the Wisdom and Judgment of the House, that these Dangers and Grievances may be drawn into the Body of a Remonstrance, and therein humbly expressed with a Prayer to his Majesty, for the Safety of himself, and for the Safety of the Kingdom, and for the Safety of Religion, that he would be pleased to give the House time to make perfect Inquisitions thereof ; or to take it into his own Wisdom, and there give them such timely Reformation, as the necessity of the Cause and his Justice does import. Sir Edward Coke seconded Sir John

Elliot's Motion, and propounded that a humble Remonstrance be presented to the King, touching the Dangers and Means of the Safety of the King and Kingdom, which was agreed to by the House, and thereupon the House turned themselves into a grand Committee, and the Committee for the Bill of Subsidies was ordered to expedite the said Remonstrance.

But this King rather than hear of what he had done, did not care what he did, and therefore the Speaker brought a Message from the King, That his Majesty having upon the Petition exhibited by both Houses, given an Answer so full of Justice and Grace, for which we and our Posterity have just cause to bless his Majesty; it is now time to draw to a Conclusion of the Session, and therefore his Majesty thinks fit to let them know, That he does resolve to abide by that Answer without further Change or Alteration, and so he will Royally and Really perform unto them what he had thereby promised: And further, That he resolves to end this Session upon *Wednesday* the 11th of this Month; and that this House should seriously attend those Businesses, which may bring the Session to a happy Conclusion, without entertaining new Matters, and so to husband the time, that his Majesty may with more Comfort bring them speedily together again; at which time, if there be any further Grievances not contained or expressed in the Petition, they may be more maturely considered than the time will now permit. But this did not disturb the Commons, but they proceeded in their Declaration against *Dr Manwaring*, and the same day presented it to the Lords at a Conference, which was managed by *Mr. Pym*.

The Commons impeached the Doctor upon these three Points in his Sermons of Allegiance and Religion.

1. That he affirmed, that the King is not bound to keep and observe the good Laws and Customs of this Realm, concerning the Rights and Liberties of the Subjects; and that his Royal Will and Command in imposing Loans, Taxes, and other Aids upon his People, without common Consent in Parliament, does so far bind the Consciences of the Subjects of this Kingdom, that they cannot refuse the same without peril of Eternal Damnation.

2. That those of his Majesty's Subjects that refused the *Loan*, did therein offend against the Law of God, and against his Majesty's Supream Authority, and by so doing, became guilty of Impiety, Disloyalty, Rebellion and Disobedience, and liable to many other Taxes and Censures, which he in the several Parts of his Book does most falsely and maliciously lay upon them.

3. That the Authority of Parliament is not necessary for the raising of Aids and Subsidies; that the slow Proceedings of such Assemblies are not fit to supply the urgent Necessities of State, but rather apt to produce sundry Impediments to the just Design

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of Princes, and to give them occasion of Displeasure and Discontent.

Whereupon the Commons demanded Judgment against the Doctor, not accounting his Submission with Tears and Grief a Satisfaction for the Offence charged upon him; and the Lords gave this Sentence.

1. That he should be imprisoned during the Pleasure of the House.
2. That he should be fined 1000 l. to the King.
3. That he should make such Submission and Acknowledgment of his Offences as shall be set down by a Committee in Writing, both at this Bar and the House of Commons.
4. That he shall be suspended for the Term of three Years from the Exercise of the Ministry, and in the mean time a sufficient preaching Minister shall be provided to serve the Cure out of his Livings; this Suspension and Provision to be done by the Ecclesiastical Jurisdiction.
5. That he shall be disabled hereafter to have any Ecclesiastical Dignity, or Secular Office.
6. That he shall be disabled hereafter ever to preach at Court.
7. That his Book is worthy to be burnt: and that for the better effecting of this, his Majesty may be moved to grant a Proclamation to call in the said Books, that they may be burnt accordingly in London, both the Universities, and for the inhibiting the printing thereof, upon a great Penalty.

This Censure immediately succeeding Sir John Elliot's Representation of Grievances, startled Laud as much as Sir John's Representation did the Duke of Buckingham; and the King, that he might not hear of any more Business of this kind, upon the 5th of June, commanded the Speaker to let the House know, that he will certainly hold to the day fixed for ending the Session, viz. the 11th, and therefore requires them, that they enter not into, nor proceed in any new Business which may spend greater time, or which may lay any Scandal or Asperision upon the State-Government, or the Ministers thereof.

This put the House into a fearful Consternation, whereupon the House declared, *That every Member of the House is free from any undutiful Speech from the beginning of the Parliament to that day, and ordered the House to be turned into a Committee, to consider what was to be done for the Safety of the Kingdom, and that no Man go out of the House upon pain of being committed to the Tower.* But before the Speaker left the Chair, he desired leave to go forth, which the House granted.

Then Sir Edward Coke spake freely; "We have dealt with that Duty and Moderation that never was the like. *Rebus sic stantibus*, after such a Violation upon the Liberties of the Sub-

“ jests, let us take this to Heart. In 30 *Edw.* 3. were they then
 “ in any doubt to name Men that mislead the King? They accus-
 “ sed *John of Gaunt*, the King’s Son, the Lords *Latimer* and *Ne-*
 “ *vil* for misadvising the King, and they went to the *Tower* for
 “ it; now when there is such a downfal of the State, shall we hold
 “ our Tongues? How shall we answer our Duty to God and Men?
 “ 7 *Hen.* 4. *Parl. Rot.* 31, 32. 11 *Hen.* 4. *Numb.* 13. there the
 “ Council are complained of and removed from the King; they
 “ mewed up the King, and dissuaded him from the common
 “ Good; and why are we turned from that way we were in?
 “ Why may not we name those that are the Cause of all our E-
 “ vils? In the 4 *H.* 3. 21 *E.* 3. 13 *R.* 2. the Parliament mode-
 “ rated the King’s Prerogative; and nothing grows to Abuse but
 “ this House hath Power to treat thereof. What shall we do? Let
 “ us palliate no longer, if we do, God will not prosper us; I
 “ think the Duke of *Bucks* is the Cause of all our Miseries, and
 “ till the King be informed thereof, we shall neither go out with
 “ Honour, nor sit with Honour here; That Man is the Grievance
 “ of Grievances; let us set down the Causes of all our Disasters,
 “ and all will reflect on him. As for going to the Lords, that is
 “ not *via Regia*, our Liberties are now impeached, we are con-
 “ cerned; it is not *via Regia*, the Lords are not participant with
 “ our Liberties.

Mr. *Selden* advised, That a Declaration be drawn under four
 Heads; First, To express the House’s dutiful Carriage to the
 King. Secondly, To tender the Liberties violated. Thirdly, To
 present what the House was to have dealt in. Fourthly, That
 that great Person, *viz.* the Duke, fearing to be questioned, did
 interpose this Distraction: “ All this time, said he, we have cast a
 “ Mantle on what was done last Parliament. But now being driven
 “ again to look on that Man, let us proceed with that which was
 “ then well begun, and let the Charge be renewed that was last
 “ Parliament against him, to which he made an Answer, but the
 “ Particulars were sufficient, that we may demand Judgment up-
 “ on that Answer only.

In Conclusion, the House agreed upon several Heads concerning
 Innovations in Religion, the Safety of the King and Kingdom,
 Misgovernment, Misfortune of our late Designs, with the Causes
 of them: and when the Question was putting, that it should be
 instanced that the Duke was the principal and chief Cause of all
 those Evils, the Speaker came in and said, that the King com-
 mands for the present, that the House adjourn till to Morrow,
 and that all Committees cease, which was done accordingly. And
 upon the 7th of *June*, the King in Parliament passed the *Petition*
of Right, whereupon there was an universal Joy all over the City;
 and the Commons returned to their own House with unspeakable

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Joy, and resolved so to proceed, as might express their Thankfulness; and order the grand Committees for Religion, Trade, Grievances, and Courts of Justice to sit no longer, but that the House proceed only in Consideration of Grievances of most moment; which was their *Remonstrance* to the King, of the weak, distracted, and dangerous State of the Kingdom: which was done in the most pathetick and humble manner which could be expressed, and presented to the King in the *Banqueting-House*, upon the 17th of June. It's very long, and consisted of these six Branches.

1. The Danger of the Innovation and Alteration of Religion; This occasioned by, First, The great Esteem and Favour many of the Professors of the *Romish Religion* receive at Court. Secondly, Their publick Resort to Mals at *Denmark-House*, contrary to his Majesty's Answer to the Parliament's Petition at *Oxford*. Thirdly, Letters to stay Proceedings against them. Lastly, The daily Growth of the *Arminian* Faction, favoured and protected by *Neal* Bishop of *Winchester*, and *Laud* Bishop of *Bath and Wells*, whilst the Orthodox Party are silenced or discountenanced.

2. Dangers of Innovation and Alteration in Government; occasioned by Billering Soldiers, by Commission of procuring 1000 German Horse and Riders for the Defence of the Kingdom, by a standing Commission granted to the Duke to be General at Land in time of Peace.

3. Disasters of our Designs; as, the Expedition to the Isle of *Abee*, and that lately to *Rochel*, wherein the *English* have purchased their Dishonour, with the waste of a Million of Treasure.

4. The Want of Ammunition; occasioned by the selling 36 lasts of Gun-powder at low Rates.

5. The Decay of Trade; by the Loss of 300 Ships taken by the *Dunkirkers*, and other Pirates, within the three last Years.

6. The not guarding the narrow Seas; whereby his Majesty has almost lost the Regality. Here note, That none of these, except Billering of Soldiers, which was yet continued, were contained in the *Petition of Right*.

Of all which Evil and Dangers, the principal Cause is the Duke of *Buckingham*, his excessive Power, and Abuse of that Power; and therefore humbly submit it to his Majesty's Wildom, whether it can be safe for himself and Kingdom, that so great Power should be trusted in the hands of any one Subject whatsoever.

It's observable, how cross the King set himself against the Commons in this *Remonstrance*: for in the last Parliament, when the Commons impeached the Duke, and the Earl of *Bristol* exhibited Articles against him, the King ordered the Attorney-General to exhibit an Information against the Duke in the Star-Chamber, for the

the great Misdemeanours and Offences complained of against him by the Commons and Earl; thereby to have stoppt their Proceeding against the Duke in Parliament, as he would have taken the Earl's Cause out of Parliament, and proceeded against him by Indictment. But the King hearing of this *Remonstrance* of the Commons against the Duke, the Day before the Commons presented it, viz. upon the 16th of June, caused the Attorney-General to take the said Information, and all the Proceedings to be taken off the File, for that his Majesty was fully satisfied of the Duke's Innocency in all those things mentioned in the Information, as well by his own certain Knowledge, as by the Proofs taken in the Cause.

This was the first Fruit the Parliament and Nation reaped by the *Petition of Right*. Now let's see the next, and whether the Commons deserved such a Censure as the King made upon them at the Prorogation of the Parliament.

After the Commons had presented a Remonstrance of their other Grievances to the King, they then took into Consideration the preparing a Bill for granting his Majesty a Subsidy of Tunnage and Poundage, as might uphold the King's Profit and Revenue in as ample a manner as their just Care and Respect of Trade would permit. But this being a Work of Time, and would require much Time, and Conference with Merchants, and others; and being often interrupted by Messages from the King, and the Shortness of Time limited by the King for concluding this Sessions; and fearing the King might be misinformed of this Particular, they were forced, by the Duty which they owed to his Majesty, to declare, *That there ought not any Imposition to be laid upon Goods of Merchants exported or imported, without Common Consent by All of Parliament.*

For Manifestation whereof, they desired his Majesty to understand, "That tho the Kings of this Realm had often Subsidies granted them upon divers Occasions, especially for guarding the Seas, and Safeguard of Merchants; yet the Subjects have been ever careful to use such Cautions and Limitations in these Grants, that they did proceed not from Duty, but the free Gift of the Subjects; and that heretofore they used to limit a time for such Grants, and for the most part but short, as for a Year or two; and at other times it has been granted upon occasion of War, with *Proviso*, that if the War ended in the mean time, then the Grant should cease; and of course it has been sequestred into the hand of some Subject, to be employed for Guarding of the Seas: very few of the King's Predecessors had it for Life, until the Reign of Hen. VII. who was so far from conceiving he had any Right thereunto, that altho he granted Commissions for collecting certain Duties and Customs due by Law, yet made none for receiving the Subsidies of Tunnage

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“ and Poundage, till it was granted in Parliament. Since his
 “ time, all Kings and Queens have had such Grants for Life, by
 “ the free Love and Good-will of the Subjects : but whensoever
 “ the People have been grieved by laying on any other Impositi-
 “ on or Charges upon their Goods and Merchandise without Au-
 “ thority of Law (which has been very seldom) yet upon Com-
 “ plaint in Parliament they have been relieved ; saving in the time
 “ of your Royal Father, who having through ill Counsell rais’d
 “ the Rates and Charges upon Merchandise to that height at which
 “ they now are, yet he was pleas’d so far to yield to the Com-
 “ plaint of his People, as to offer, That if the Value of such Im-
 “ positions as he had set might be made good unto him, he would
 “ bind himself and his Heirs, by Act of Parliament, never to lay
 “ any more ; which Offer the Commons did not yield to. Never-
 “ theless, your Loyal Commons in this Parliament, out of special
 “ Zeal to your Majesty’s Service, and especial Regard of your
 “ pressing Occasions, have taken into their Consideration, so to
 “ frame a Grant of Subsidy of Tunnage and Poundage to your Ma-
 “ jesty, that both you might have been better enabled for the
 “ Defence of your Realm, and your Subjects, by being more se-
 “ cure from all undue Charges, be more encouraged chearfully
 “ to proceed in Trade ; by Encrease whereof, your Majesty’s Pro-
 “ fit, and likewise the Strength of the Kingdom, would be much
 “ augmented.

“ But being now not able to accomplish this their Desire, there
 “ is no Course left to them, without manifest Breach of their Du-
 “ ty to his Majesty and Country, save only to make this Declaration,
 “ *That the receiving Tunnage and Poundage, and other Impositions,*
 “ *not granted by Parliament, is a Breach of the Fundamental Liberties*
 “ *of this Kingdom, and contrary to your Majesty’s Royal Answer to the*
 “ *Petition of Right.*

The King, who had so unwillingly heard the Commons Remon-
 strance against the Duke before the Bill of Subsidies was pass’d
 both Houses, now it was past both Houses, was resolv’d to hear
 no more of this : and therefore when this Remonstrance concerning
 the Tunnage and Poundage was engross’d, and reading in the
 House, the King sent for the Speaker, and the House, to the
 House of Lords ; where the King came so unexpectedly, that the
 Lords had not put on their Robes, nor had the Commons given the
 Speaker any Order or Direction to deliver the Bill of Subsidies ;
 neither was it brought down to the Commons again, as is usual.

When the Commons came to the Lords House, the King said,
It may seem strange that I come so suddenly to end this Session, before
I give my Assent to the Bills. I will tell you the Cause, tho I must
swear, that I owe the Account of my Actions to God alone : It is known
to every one of you, that a while ago the House of Commons gave me a

Remon-

Remonstrance, how acceptable every Man may judg; and for the Merit of it, I will not call that in question, for I am sure no wise Man can justify it.

Did ever any King of England, but this King's Father and himself, treat a Parliament, or either House, at this rate before? At the opening of the Parliament he calls them *Fools*, if they would not do as he would have them; and now he tells the Commons, *No wise Man can justify their Advice to him.* I'm sure, a wiser Man than this King, or his Father, says, *He that wins Souls is wise*; and if you convert the Proposition, *He that provokes them, is otherwise.* Heretofore the Kings of England, and, I believe, all prudent and civiliz'd Princes, ever forbore to give any Petitioners harsh Language; if their Petitions did not please, their usual Answer was, *The King will consider, or be advised upon them.*

One great End of the Meeting of Parliaments is, truly to represent to the King the State of the Kingdom, (which is rarely done by Flatterers and Favourites, whose Interest is contrary to that of the Kingdom) and if any thing be done in Prejudice of the King and Kingdom, that both may be redressed in Parliament. In the Commons *Remonstrance* to the King, they set forth the weak and dangerous State of the Kingdom, equally dangerous to the King and Kingdom, in six several Particulars: Does the King either answer or deny any one of the Particulars otherwise, than *that he is sure no wise Man can justify their Remonstrance*? But tells no Reason for this, nor from whom he had this Assurance.

Was ever any King, or Man, so great, as to be above his Interest? or less, for being well advised in all his Actions? Nay, ought not, not only every King, but other Men, be so much more careful and advised in all their Actions, by how much greater they are?

The King goes on, and says, *Now since I am truly informed, that a second Remonstrance is preparing for me, to take away the Profit of Tunnage and Poundage, one of the chief Maintenances of my Crown, by alledging I have given away my Right thereto, by my Answer to your Petition.*

So that here the King hath true Information of that, but says not how he was truly informed, which was not in being; for the Remonstrance was not passed the Commons when the King came into the House of Lords: so that it may more probably be, the King is not truly informed of this Remonstrance. I'm sure he is misinformed, if the Remonstrance, as it is printed in *Rushworth* and *Franklin*, be true, *that the Commons alledged that the King had given away his Right to the Customs by his Answer to the Petition of Right*: For the Commons denied there, that either he, or any of his Predecessors before him (which was long before the *Petition of Right*) had any Right to them, before they were granted by the free Gift of the Subject: Tho the King would take the Customs,

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Customs, to which he had no Right, yet would he not permit the Commons to sit till they could perfect a Bill to give him Duties upon *Tunnage* and *Poundage*, without which no King of England before him claimed any other Right.

But since the King says, in his Declaration for the Dissolution of the Parliament, that his Predecessors, time out of mind, have had these Customs, but says not who told him so; it's fit to see when and what Customs of *Tunnage* and *Poundage* were taken, and for what end, and how they were taken. Sir *Edward Coke*, in his fourth *Institute* of the High Court of Parliament, fol. 32. out of Records makes thirteen Observations upon the Subsidy of *Tunnage* and *Poundage*.

1. Of *Poundage* only, at 6 s. in the Pound, for two Years, upon Condition, &c. And this was 47 *Edw.* 3.

2. 6 d. for *Poundage*, 2 s. for *Tunnage* of Wine, *hac vice*. This was 6 *Ric.* 2.

3. 6 d. of every Pound of Merchandise, 2 s. of every Tun of Wine, upon Condition, &c. and *hac vice*. This was 7 *Ric.* 2.

4. Sometimes to have Intermission, and to vary, lest the King should claim them as Duties, as 2 s. 18 d. 3 s. 5 *Ric.* 2. 9 *Ric.* 2. 10 *Ric.* 2.

5. 3 s. for *Tunnage* of Wine, and 2 s. 6 d. for *Poundage* for one Year, 11 *Ric.* 2.

6. 3 s. for *Tunnage* of Wine, and 1 s. for *Poundage*, *hac vice*, 13 *Ric.* 2.

7. 6 d. for *Poundage*, and 18 d. for *Tunnage* of Wines, for three Years, 14 *Rich.* 2.

8. 8 d. for *Poundage*, and 2 s. for *Tunnage* of Wine, 2 *Hen.* 4.

9. 12 d. for *Poundage*, and 3 s. for *Tunnage* of Wine, for three Years, 4 *Hen.* 4.

10. 12 d. for *Poundage*, and 3 s. for *Tunnage* of Wines, for several times, upon Condition, sometimes for one Year, 6 *Hen.* 4.

11. 12 d. for *Poundage*, and 3 s. for *Tunnage* of Wines, for four Years, 1 *Hen.* 5.

12. The like Subsidy was granted to *Hen.* 5. in the third Year of his Reign, for Life, for carrying on the War against *France*.

13. *Tunnage* of Wine, and *Poundage*, was granted to *Edw.* 4. for Life, with no Retrospect, but for time to come, 4 *Edw.* 4.

These were continued to all the Kings and Queens of *England*, after *Edw.* 4. to King *Charles* 1. but these were of Wines only: but these were always granted for the guarding the Seas, and of the free good Will of the Subject.

So that the first Grant of these Duties of *Tunnage* and *Poundage* for Life, began at *Hen.* 5. but that was but for that part of his Life

Life for time to come, being granted in the third Year of his Reign; and so were those in the Reign of *Edw. 4.* which were granted in the fourth Year of his Reign: and *Hen. 7.* would not take them till they were granted by Parliament: and Sir *Robert Phillips*, who was a Member of Parliament (*primo Jac.*) says, in his Speech in Parliament, (*Mr. Rushworth* mentions it, fol. 644.) that by reason of the Sickness *primo Jac.* the Parliament was prorogued, and then some were so bold, as to demand the Duties of Tunnage and Poundage, for which they were questioned in Parliament.

But after the Duties of Tunnage and Poundage were given to King *James*, and settled by a Book of Rates, King *James* (which none of his Predecessors ever did before) imposed higher Duties upon several sorts of Merchandise than were granted in Parliament, by his own Will, and so continued them to his Death; and after his Death, his Son, by his own Will, took not only those Duties granted by Parliament, but those imposed by his Father, neither would he permit the Parliament to sit to establish a Book of Rates, but prorogued or dissolved them before they could accomplish it. And this was the *Right* he charges the Commons to endeavour to take away, by his granting the *Petition of Right*.

The King goes on, and says, *This* (the Right to Tunnage and Poundage, alledg'd to be given away by the Commons) *is so prejudicial to me, that I am forced to end this Session some few hours before I meant, being unwilling to receive any more Remonstrances, to which I must give a harsh Answer. And since I see that the House of Commons begins already to make false Constructions of what I granted in your Petition, lest it be worse interpreted in the Country, I will now make a Declaration concerning the true Intent thereof.*

The King should have declared whether he saw this false Construction of the Commons with his own Eyes, or the Eyes of another; if with his own Eyes, Why does he not declare wherein the Commons made this false Construction of his Grant? Or if he saw or heard of this false Construction of the Commons from another, the King should have said who told him so. Now let us see if the contrary of what the King so injuriously charges the Commons with, be not true.

The Commons say, No King of *England* ever claimed these Customs but by the free Gift of his Subjects; Does the King deny this, or shew that ever any King of *England* claimed them otherwise, or by any other Right? The Commons say, His Father raised them to the height they then were, without Act of Parliament, or free Gift of the People; Does the King deny this to be true? And that the King continues to take these Customs, without any Act of Parliament, or Gift of the People; Does the King deny this? Do not the Commons tell the King, That out of their Zeal to his

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Service, and especial Regard to his pressing Occasions, they had under Consideration so to frame a Grant of a Subsidy of Tunnage and Poundage to his Majesty, that he might have been the better enabled for the Defence of his Realm and Subjects, by being secure from all undue Charges, for the Security of Trade, the Profit of the King, and Strength of the Kingdom? Does the King deny this? With what Conscience and Justice then does the King say, the Commons made false Constructions of his Answer, alledging he had given away his Right to the Customs, by his Answer to the *Petition of Right*? When or where is any such Allegation in any part of the *Remonstrance*?

The Commons say, that since the King will not permit them to finish their intended Subsidy, they have no Course left, without manifold Breach of their Duty to his Majesty and their Country, save only to make this humble Declaration, *That the receiving Tunnage and Poundage, and other Impositions, not granted by Parliament, is a Breach of the Fundamental Liberties of this Kingdom, and contrary to your Majesty's Answer to the Petition of Right.* Does the King shew that it was not the Commons Duty to represent this to him? or that the Commons alledged he had any Right to the Duties which he had given away by his Answer to the *Petition of Right*? Now let's see the King's Declaration of the true Intent of his Answer to the *Petition of Right*.

The Profession of both Houses in the time of the Hammering (spoke like a King) this Petition, was no ways to trench upon my Prerogative (no more it did) saying, They had neither Intention or Power to hurt it; therefore it must needs be conceived, that I have granted no new, but only to confirm the antient Liberties of my Subjects: Yet to shew the Clearness of my Intentions, that I neither repent, nor mean to recede from any thing I have promised you, I do here declare my self, That those things which have been done, whereby many have had some Cause to expect the Liberties of the Subject to be trenched upon, and indeed was the first and true ground of the Petition, shall not hereafter be drawn into Example for your Prejudice; and from time to time, on the Word of a King, ye shall not have the like Cause to complain. But as for Tunnage and Poundage, it is a thing I cannot want, and was never intended by you to ask, nor meant by me, I am sure, to grant: Nor did the Commons ask any Grant of it, to them, or any other.

To conclude, I command you all that are here, to take notice of what I have spoken at this time, to be the true Intent and Meaning of what I have granted you in your Petition, especially you my Lords the Judges, for to you only, under me, belongs the Interpretation of the Laws; for none of the Houses of Parliament, either joint or separate (what new Doctrine soever may be raised) have any Power either to make or declare a Law without my Consent: And you need not doubt,

doubt, but these shall be *durante bene placito*-men all, who shall not scruple to make the King's Will to be the Subjects Law; and those that will not, shall be none of this King's Judges.

I do not find that the King, before he prorogued them, gave the Parliament any Thanks for the Bill of Subsidies, tho greater than ever was given to any King, as his Predecessors ever did; or if he did, it ill sorted with the Speech he made before. But before we proceed to take a View of this King's Actions in the Interval of this Recess of Parliament, let's a little consider the present State of the King and Kingdom; and herein, who it was the King quarrelled with, and upon what Account, and for whose sake: It was with the Representatives of the Kingdom, who had so obsequiously and unanimously gratified him above what any other House of Commons ever did to any King of *England* before. The Crimes for which the King inveighed so against them were, for representing their Grievances, and the dangerous and feeble State of himself and the Kingdom; and to represent to him the Fundamental Laws of the Kingdom, by taking the Customs, as he did; yet declaring their Readiness to relieve him therein, and to reconcile him to his Subjects. And for whom was it the King thus contended, but for a Favourite, who against the King's Father's Will, and Advice of his Council, without a Declaration or Reason shewed, the next Day after the King's Father's Death (as the Bishop of *Litchfield* observes) excited him to make War against the King of *Spain*, and after made the King to dissolve the Parliament, to save himself from being impeached in it? And so he did the second Parliament, and then engaged the King in a War against *France*, wherein he himself was the Aggressor; and put the King upon those unheard-of ways to support these Wars, that never were practised by any King of *England* before; and in the ill Management of them, brought greater Loss and Dishonour to the Nation than ever was before: A Favourite, who besides these, brought the Crown to extream Poverty, to support his intolerable Ambition and Avarice.

Here again I cannot but note the miserable State of Princes, who treat their Subjects as Enemies, and their Favourites as their only Friends and Confidants above other Men: for other Mens Enemies are but few, and the rest of Mankind their Friends; but the Majesty, Glory and Honour of a Prince, is founded in the Love and Obedience of his Subjects; and if this be lost, where to then can a Prince betake himself? What became of *Edw. 2.* and *Rich. 2.* (tho two of those four Hereditary Princes, of ten after the Conquest) when they had lost the Love and Obedience of their Subjects? and this Prince, and his Sons after him, made haste to overtake their Fate: Not one of many hundreds of private Men, but die a natural Death, but,

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But above all, those of this *Scotish* Race of Kings, descended from *Elizabeth More*, which 'tis a question, whether any one of Nine of them in a continued Succession, died a Natural Death.

The Duke of *Buckingham* upon his Retreat from the Isle of *Rhee*, promised the *Rochellers* to send them speedy Relief; and to make good his Word, sent the Earl of *Denbigh* (his Brother-in-law) with a Fleet to relieve it, now close beteged by the *French* King; the Earl came before *Rochel* the first of *May* 1628, where he found the *French* Fleet of 20 Sail had blockt up *Rochel* by Sea; upon the Approach of the Earl, the *French* retired towards their Fortifications, and anchored within two Cannon shot of the Fleet, and so continued till the 8th of *May*: the Earl promised the *Rochellers* to sink the *French* Fleet, when the Waters encreased, and the Wind came *Westerly*, it being then neap Tides; but two Days after the Waters did encrease, and the Wind became *Westerly*, then the Earl being intreated to fight the *French* Fleet, did not, but weighed Anchor, and came away, only four of the *French* Fleet at a distance pursuing the *English* Fleet. Thus was the Duke's Expedition to the Isle of *Rhee* seconded by this of his Brother-in-law for the Relief of *Rochel*. I do not find the Parliament took notice of this, but if they had it had been to no purpose; for soon after the Earl's Return, the King resolving not to hear of the Commons Remonstrance against his taking the Customs not granted by Parliament, to which he said, he must have given a harsh Answer, upon the 26th of *June*, prorogues the Parliament to the 20th of *October* following, and after by Proclamation to the 20th of *January*.

To redeem his Brother-in-law's Miscarriage, the Duke in this Recess goes to *Portsmouth* to command the Fleet there to relieve *Rochel*, but at *Portsmouth* he is stabb'd by *Felton* the 23d of *August*; yet was the Design pursued under the Command of the Earl of *Lindsey*, who several times attempted to force the Barricadoes of the River before *Rochel*, but all in vain; or if he had, it had been to no purpose; for the Victuals wherewith the *Rochellers* should have been relieved, were all tainted; and 'twas well the *French* had no Fleet there, for the *English* Tackle and other Materials were all defective. This was the last Attempt this unhappy King made, either for the Relief of the poor Protestants in *France*, or for the Recovery of the *Palatinate*; for now *Buckingham* was dead, who put him upon making War with *Spain* and *France*, the King as secretly, as before he had done suddenly, made Peace with both *Spain* and *France*.

What's now become of the twelve Subsidies, and three Fif-

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teenths granted to this King's Father, and himself in less than eight years time by Parliament, for Recovery of the *Palatinate*, besides Loans, Benevolences, Coat and Conduct Money, raised by his Father and himself, without Consent of Parliament? Let any Man shew in any Records of time, that half so much in like time was raised by any of our Kings upon any Occasions, except the Dissolution of *Abbeys* in *Henry the VIII's* time: Search all Histories, and find any one Prince so wilfully set to be govern'd by such loose, vain, wild and negligent Councils, as either of these Princes, Father or Son.

Now let's see the Condition of these poor *Rochellers*, trusting to this Prince and his Favourite; they lived long upon Horse-flesh, Hides, Leather, Dogs and Cats, hardly leaving a Horse alive, still in hopes of the Relief promised from *England*: they held out so long, till but 4000 of 15000 were left alive; most of them died of Famine, and when they began to be pinch'd with Extremity of Hunger, they died so fast, that they usually carried their Coffins into the Church-yard, and other Places, and therein laid themselves, and died; great Numbers of them being unburied, and many Corps eaten with Vermin, Ravens and Birds, when the *French* Army entred the Town. The Outrages committed against the Reformed Churches in *France* were so high, as constrained them to implore King *Charles* his Aid, in these Expressions, *That what they wrote was with their Tears and Blood*. But how unhappy soever this Prince's Fate was in War abroad, yet it had been happy for him, if he had not made his Fate worse at home; and now let us see what Steps he made towards it, even in this short Recess of the Parliament's Meeting.

Upon the 15th of *July*, the King made Sir *Richard Weston* (who died a declared Papist) Lord Treasurer of *England*; and the same Day translated *Laud*, (the Firebrand of the *Arminian* Faction) to the Bishoprick of *London*, whose next Step was Archbishop of *Canterbury*; who that he might testify his Zeal to this Cause, which after set all these Nations on Fire, got *Richard Mountague* to be consecrated Bishop of *Chichester*, the 24th of *August* following.

This *Mountague* was fierce for *Arminianism*, and wrote a Book, call'd *A new Gag for an old Goose*; for which he was questioned in the Parliament of 23 *Jac.* and the Cause was committed to Arch-bishop *Abbot*, which then ended in an Admonition; and though the Arch-bishop disallowed the Book, and sought to suppress it, yet it was reprinted and dedicated to King *Charles* under the Title of *Appello Casarem*: Hereupon the Commons, 1 *Car.* questioned *Mountague* for this, and gave Thanks to the Arch-bishop for what he had done; but this displeased the King, who took the Business out of the Commons Hands: but they had taken Bond of *Mountague* to appear.

I desire to be more particular herein, because *Arminianism* was not only turn'd up Trump for the flattering Clergy to play their Game, but for the Popish Party to undermine the Church of England, as it was established by Law, and the Canons, Doctrine and Homilies of it; and now *Mountague's* Cause was recommended to the Duke of *Buckingham*, by the Bishops of *Rocheſter*, *Oxford*, and *Laud* Biſhop of *St. Davids*, as the Cause of the Church of England. Thus this Cause ſtood, when the King diſſolved the firſt Parliament the 12th of *Auguſt*, 1625.

But the King's Neceſſities, as he managed Buſineſs, forcing him to call another; before aſſembled, *Laud* procured the Duke to ſound the King, whether he would leave *Mountague* to a Trial in Parliament, which the King intended to do; whereupon this pious Man *Laud* ſaid, *I ſeem to ſee a Cloud ariſing and threatning the Church of England; God of his Mercy diſſipate it.*

Note, that all thoſe who were not of this Faction of *Arminianism*, were ſtil'd by them *Puritans*: theſe *Mountague* treats with bitter Railing, and injurious Speeches; and inserts divers paſſages in his Appeal, diſhonourable to King *James*; the Commons therefore prayed that the ſaid *Mountague* might be exemplarily puniſhed, and his Books ſuppreſt and burnt. Yet this is the Saint that *Laud* in the firſt Act of his Regency, as it may be called, after he became Biſhop of *London*, muſt have made Biſhop of *Chicheſter*, and after Biſhop of *Norwich*. But this is obſervable, that while *Neal* and *Laud* were conſecrating *Mountague*, News came of the Duke's being ſtabb'd.

This was the firſt ſtep after *Laud's* Preferment; the next was a Pardon for *Mountague* and *Manwaring* of all Errors by ſpeaking, writing and printing: and you cannot believe that *Laud* would be leſs kind to *Manwaring* than to *Mountague*; and therefore notwithstanding *Manwaring's* Censure, he procured *Manwaring* the fat Rectory of *Stamford Rivers* in *Effex*, and a Diſpenſation to hold it with the Rectory of *St. Giles in the Fields*.

That you may ſee the Kindneſs of this Biſhop of *London* to our Laws in the very Infancy of his Power: When *Felton* was brought before the Lords of the Council for murdering the Duke; *Laud* threatned *Felton* with the Rack, unleſs he would confeſs his Inducement for murdering the Duke; but the King then in Council reſuſed till the Judges were conſulted, and ſaid if it could be done by Law, he would not uſe his Prerogative; but though the Judges determined he could not be put to the Rack by Law, the King was graciouſly pleaſed not to uſe his Prerogative, yet this was no thanks to the Biſhop of *London*.

Now let's ſee the Fruits of the Petition of Right, and the manifold-Declarations of the King for maintaining the Laws of the Land, and the juſt Rights and Liberties of the Subject; but here

you may understand, that though he had taken the Customs not granted by Parliament, yet by virtue of his Prerogative Royal, he had enhanced the Rates, such as were never granted by any Parliament, and declared it his absolute Will and Pleasure (besides that of Wines) that the 2 s. and 2 d. Duties upon every Hundred of Currants by the Book of Rates, should be advanced to 5 s. and 6 d. in the Hundred.

The first that suffer'd under the King's absolute Will and Pleasure, was Mr. *Chambers*, who was committed by the Lords of the Council this *Michaelmas*-Term, and was bailed by the Court of *King's-Bench*; for which the Judges were check'd, having done it without due Respect to the Privy-Council.

Next, Mr. *Vassal*'s Goods were seized, for not paying the 5 s. 6 d. upon every hundred pound Weight of Currants; upon which the Attorney General, Sir *Robert Heath*, exhibited an Information against him in the *Exchequer*; to which Mr. *Vassal* pleaded the Statute, *De Tallagio non concedendo*, and that this was neither *Antiqua seu Recta Consuetudo*: to which the Attorney demurred, and Mr. *Vassal* joined in the Demurrer; but the Court would not hear Mr. *Vassal*'s Counsel, and said the King was in Possession, and they would keep him so, and imprisoned Mr. *Vassal* for not paying the Duty thus imposed.

About the same time, the said Mr. *Chambers*'s Goods were seized by the Customers, for not paying such Customs as were demanded by the Farmers: Mr. *Chambers* sues a Writ of *Replevin*, the Barons grant an Injunction against it; Mr. *Chambers* offers to give Security for Payment of such Duties as the Court should direct; which the Court refused, unless he should pay such Customs as demanded by the Farmers; which *Chambers* refusing, the Court ordered the Officers to detain double the Value of *Chambers*'s Goods demanded by them. The same Course was taken with Mr. *Rolls*'s Goods, though a Parliament-Man; one of the Commissioners saying, *Privilege of Parliament extended only to Persons, not Goods*: another more boldly told Mr. *Rolls*, if all the Parliament were in you, we would take your Goods.

These Proceedings so ill sorting with the *Petition of Right*, the King (as *Norton* the Printer said) commanded the printing of the *Petition*, with other Additions, besides the King's Answer; and that he had printed 1500 Copies with the King's Answer, without the other Additions: but these were suppressed by Warrant, and the Attorney General commanded no more should be printed, and those which were should not be divulged. These were the Just and Religious Acts of this pious King: and can any Man believe the Parliament at their Meeting, should without Breach of a publick Trust, sit still, and not represent these things to the King?

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The Parliament did meet according to their Prorogation the 23^d of *January*, 1628. and debated these Practices against Church and State, which hapned since the 26th of *June* before : but now see the Artifice of this little Prince, rather than hear of any thing in this kind, he commands the Speaker, Sir *John Finch* (the late Lord Chancellor *Finch's* own Uncle) to put no Question upon Debates of Grievances. So that the House could do nothing but sit still or adjourn, and this continued till the 2^d of *March*, when the Commons met and urged the Speaker to put the Question concerning Grievances ; who answered, I have a Command from the King to adjourn the House till the 10th of *March*, and put no Question ; and endeavouring to go out of the House, he was held by some Members, till the House had made this Protestation.

1. Whosoever shall bring in Innovation of Religion, or by Favour or Countenance, seem to extend or introduce Popery or *Arminianism*, or other Opinions, disagreeing from the Truth and Orthodox Church, shall be reputed a Capital Enemy to this Kingdom, or Common-Wealth.

2. Whosoever shall counsel or advise the taking or levying the Subsidies of Tunnage and Poundage not granted by Parliament, or shall be an Actor or Instrument therein, be likewise reputed an Innovator in the Government, and a Capital Enemy to the Kingdom and Common-wealth.

3. If any Merchant or Person whatsoever, shall voluntarily yield, or pay the Subsidies of Tunnage and Poundage, not being granted by Parliament, he shall likewise be reputed a betrayer of the Liberties of *England*, and an Enemy to the same.

This Act consisted in two Parts, the Speaker and the House ; the Speaker's of three Parts, a Command by the King to put no Question, to adjourn till the 10th of *March*, and an endeavour to go out of the House. In the former Session of this Parliament, Secretary *Cook*, the 10th of *April*, from the King desired the House not to make any Recess those *Easter* Holy-days, that the World may now take notice how earnest his Majesty, and We were for the publick Affairs in *Christendom*, which would receive Interruption by this Recess.

To which Sir *Robert Phillips* answered, that the 12th and 18th *Jac.* the House resolved it was in their Power to adjourn, or sit ; and that this may be put upon them by Princes of less Piety ; and that a Committee consider of the House's Right. Sir *Edward Coke* said, the King makes a Prorogation ; the House adjourns it self : That a Commission of Adjournment the House never read, but say, the House adjourns it self ; yet here the Speaker verbally says, I am commanded by the King to adjourn till the 10th of *March*.

His second Command was to put no Question. So here was a Speaker which might not speak : what did he there then ? He sits there by the King in his Highest and Regal Capacity, under the broad Seal, to put the Question ; and now if you'll take his Word, he says, he has a Command from the King to put no Question.

The third Act was his Endeavour to go out of the House ; which the House, conceiving him to be their Servant, would not suffer.

Here you may understand that the King had privately made Peace with *France*, though not proclaimed at *Paris* till *June* following, and soon after with *Spain* ; so that in his Speech, this meeting he did not begin with, *The Times are for Action, and the Eyes of all the World are upon us* ; and therefore demands Supplies in the first place, but that without loss of Time they would pass the Bill of Tunnage and Poundage : but the House seeing the Dangers of the Church and State, in not only pardoning, but preferring *Mountague* and *Manwaring*, and seizing Merchants Goods, and imprisoning their Persons, even in this Recess ; they resolve to secure their Religion, and redress Grievances, before they grant the Customs of Tunnage and Poundage : in both they could not but take notice of the Orders of the *Star-Chamber*, *Privy-Council*, *Judges* and *Customers*. And these were the Invasions upon the King's Prerogative Royal, which for the future he resolved never to suffer ; yet he shall live to hear more of them.

But in regard it may seem strange, that Customs of Tunnage and Poundage, ever since the Reign of *Richard* the 3^d, had been granted to the Kings and Queens of this Realm, for securing the Sovereignty of the narrow Seas, and of the *English* Merchants, yet was not granted to this King : The Reason was this, the House of Commons in their Grievances in the two first Parliaments of this King, and the former Sessions of this, complained, that the Duke of *Buckingham* being Lord High Admiral of *England*, neglected to guard the Seas, to the Dishonour of the King, and endangering the Trade of *England* ; and feared, if the Duke were not removed, the End designed by the Parliament would be diverted, to supply the intolerable Pride and Luxury of the Duke : but the King rather than endure this, dissolved the two former Parliaments, and prorogued this when they were upon settling the Duties of Tunnage and Poundage.

That the Parliament had Reason for this, it appears in their Charge against the Duke, in the 2^d Year of this King, and that in ten Years time he had received of King *James* and this King 284395 *l.* besides the Forest of *Leyfield*, the Profits of the third of Strangers Goods, and the Profits of the Moiety of the Customs of *Ireland*, besides the Tricks he used to get Money, as he was Lord High Admiral of *England* and *Ireland*, Master of the Horse, Lord Warden, Chancellor and Admiral of the Cinque Ports and the

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the Members thereof, Constable of *Dover* Castle, Justice in Eyre of all his Majesty's Forests and Chases on this side of *Trent*, Constable of *Windfor* Castle, and Gentleman of the King's Bed-Chamber.

To these might have been added the Duke's Venality, in selling all Places in Church and State, at least preferring such Men in Church, as should propagate *Arminianism*, and such Judges as shall do what the King and he bid them.

Objection. But the Duke was now dead in this Session of Parliament, and so the Reason ceasing, the Duties of Tunnage and Poundage ought to have been granted.

Answer. The King would not suffer the Commons to come at it, neither in the last Sessions nor this: for the Religion of the Church of *England*, and the Laws and Liberties of the Subject, being so shaken in this Recess, the Commons resolve that Religion shall have the Precedency in their Debates, and make this Vow:

WE the Commons in Parliament assembled, do claim, protest, and avow for Truth, the Sense of the Articles of Religion, which were established by Parliament, in the 13th Year of the Reign of Queen Elizabeth, which by the Publick Acts of the Church of *England*, and by the general and currant Exposition of the Writers of our Church, have been delivered unto Us. And we Reject the Sense of the Jesuits and Arminians, and all others wherein they differ from us.

But the true Reason why the King would not take the Duties of Tunnage and Poundage from the Commons, was, for fear the Commons should not grant the Duties imposed by his Father, and taken by him; which he was resolved to continue, whether the Parliament would or not.

The House had a Petition from the *Printers* and *Book-sellers* in *London*, complaining, that *Laud* Bishop of *London* (who had been so but from the 15th of *July* last) had restrained Books written against *Papery* and *Arminianism*, and the contrary allowed of only by him, and had sent Pursuivants for many *Printers* and *Book-sellers*, who had printed Books against *Papery*; and that Licencing Books, was only restrained to the Bishop of *London* and his Chaplains, [This is the Patron and Saint-like Martyr of the Church of *England*] And all this Ado in the House of Commons, was upon Sir *John Elliot's* Speech against *Neal* Bishop of *Winchester* (a zealous Promoter of *Arminianism*) and *Weston* Lord Treasurer (a *Papist*) in whose Person he said, All Evil is contracted, acting and building upon those Grounds, laid by his great Master the Duke; and that his Spirit is moving to these Interruptions, and they for fear break Parliaments, lest the Parliament should break them: That he finds him the Head of all the great Party; That *Papists*,

Jesuits and *Priests*, derive from him their Shelter and Protection, &c. But the Speaker upon Motion of the House, refused to put the Question, being he said otherwise commanded by the King: Whereupon the House adjourn'd till *Wednesday* the 25th, and from thence to the 2d of *March*; when the Speaker again refused to put the Question, the Success whereof was said before. What now was the Crime of the House? It was their Endeavour to preserve the Religion of the Church of *England*, and the Laws and Liberties of the Subjects of *England*; and since the Speaker refusing to do his Office, they could not represent their Duty to the King, they made their Protestation in the Defence of the Church and State: And Masters oft-times upon Disobedience of their Servants, do that which at other times they would not have done.

The King having made Peace abroad, was resolved now to prosecute a vigorous War at home against those Noble Gentlemen, who in a Parliamentary Way had asserted the established Religion and Laws of *England*. The Duke of *Buckingham*, who was stabb'd the 23d of *August* before, you need not fear, had furnished the King with Judges, Privy-Counsellors, and *Star-Chamber-Men*, who should do the King's Work; and now let's see the Order and Method by which it was carried on.

Upon this very Day, viz. the 2d of *March*, a Proclamation was drawn for the Dissolution of the Parliament, but not proclaimed; the King afterwards doing it himself in Person upon the 10th. But next Day Warrants were directed from the Privy-Council for *Denzil Hollis*, *Sir Miles Hobert*, *Sir John Elliot*, *Sir Peter Hayman*, *John Selden*, *William Coriton*, *Walter Long*, *William Stroud*, and *Benjamin Valentine* Esquires, to appear before the Council next day: Mr. *Hollis*, *Sir John Elliot*, Mr. *Valentine* and Mr. *Coriton* appeared; and for refusing to answer out of Parliament, for what was said or done in Parliament, were committed close Prisoners to the *Tower*; and Warrants were given for sealing up the Studies of Mr. *Hollis*, Mr. *Selden*, *Sir John Elliot*, Mr. *Long*, and Mr. *Stroud*, who not then appearing, a Proclamation was issued out for apprehending of them.

The 10th of *March* the King comes into the House of Lords, and tells the Reasons of his Dissolution of the Parliament, that it was the *undutiful and seditious Carriage in the lower House*, but says not wherein; calls them *Vipers*, who must look for their Reward and Punishment, but promises the Lords the Favour and Protection that a good King oweth to his loving and faithful Nobility: and then the Lord Keeper dissolved the Parliament.

C H A P. II.

This Reign detected to the Second Parliament, in 1640.

Justice like Truth is one, and consists in entire Parts, and will not admit of more or less; but Injustice, like Falshood and Error, is distracted into infinite Discord and Confusion. King James upon the Dissolution of the Parliament of the 12th and 18th Years of his Reign, without any Trial, but only by the Prerogative of his own Will, commits several Members of Parliament to Prison, for presuming to represent the Grievances of the Nation to him for Redress, without Bail or Main-prize: But this King puts a face of Justice upon his fining and imprisoning the Members of Parliament for their Debates and Transactions in it; which was so much worse than his Father's Actions, by how much the affixing a sacred Character to a bad Act (and Justice is sacred) renders the Act so much worse, as Perjury is a greater Crime than simple Falshood; and to murder a Man under pretence of Justice, a greater Crime than simple Murder.

The Members thus close imprisoned, after the Dissolution of the Parliament, viz. in Trinity-Term following, Mr. Selden was brought by *Habeas Corpus* to the King's-Bench, with the Cause of his Detainer; and also the same day Sir Miles Hobert, Mr. Benjamin Valentine, and Mr. Hollis appeared by *Habeas Corpus*, directed to their several Prisons, with their Counsel to argue their several Cases. But when the Court were prepared to give their Opinions, the Prisoners were not brought according to the Rule of Court. Then Proclamation was made to the Keepers of the several Prisons to bring their Prisoners, but none appeared: But the Marshal of the King's-Bench said that Mr. Stroud was removed out of his Custody the day before to the Tower, by the King's own Warrant, and so it was done by the other Prisoners. But in the Evening the Judges received a Letter from the King, containing Reasons why he would not suffer the Prisoners to appear, yet that Selden and Valentine should appear the next day; and about three Hours after the Judges received other Letters, that upon mature Deliberation, neither Selden nor Valentine should appear. And the same Term four Constables of Hertfordshire pray'd *Habeas Corpus*'s to several Pursevants, to whom they were committed by the Lords of the Privy-Council, which were granted, but then they are committed to other Pursevants, and so they were upon every other

other *Habeas Corpus*, so that the Constables could have no benefit of them.

The Members as well as the Constables being thus shifted from one Prison to others, to prevent the Returns of their *Habeas Corpus*'s, by special Order from the King, the Attorney-General Sir Robert Heath preferred an Information in the Star-Chamber against Sir John Elliot, and others of the Members therein named, setting forth their Misdemeanours in the late Parliament, and all those Proceedings.

But Mr. Long's Charge was different from those of the other Members, viz. *Not for Misdemeanours in Parliament, but that contrary to his Oath, being when he was made Sheriff, and was by his Oath to keep within his County, yet he did come to Parliament and serve as a Member there, and in the time of Parliament resided out of his County.*

To this Mr. Long pleaded, that the Oath of a Sheriff to reside in his County, does not exempt him from obeying the King's Commands out of the County when the King requires it, and that by the King's Command in his highest Capacity, he being chosen a Member of Parliament, was obliged as well by the King's Command, as by a Trust reposed in him by his County, to serve as a Member of Parliament; Yet by a Sentence in the Star-Chamber he was fined 2000 Marks to the King, to be imprisoned in the Tower, and to make a Submission.

But the Attorney-General putting the Question to the Judges upon the Proceedings *Ore tenus* in the Star-Chamber against the Parliament-Men, the Judges held it the juster way not to proceed *Ore tenus*. And Justice Whitlock did often and highly complain against this way of sending to the Judges for their Opinions beforehand; and said, *that if Bishop Laud went on this way, he would kindle a Flame in the Kingdom.*

Mr. Hollis, Selden, Straud and Valentine, having been brought to the King's-Bench Bar by several *Habeas Corpus*'s, and Cause of their Commitment returned, one on a Warrant from the Council, another on a Warrant from the King for *Sedition and Contempts*; and whether this was a good Return or not was argued.

The Judges were perplexed about the *Habeas Corpus*, and wrote a humble and stout Letter to the King, *That by their Oaths they were to bail the Prisoners*; but thought fit before they did it, or publish their Opinions therein, to inform his Majesty thereof, and humbly to advise him (as had been done by his noble Progenitors in like case) to send a Direction to his Justices of his Bench to bail the Prisoners.

But the Lord Keeper (Coventry) would not acknowledg to Justice Whitlock, who was sent to him from the rest of his Brethren about this Business, that he had shewed the Judges Letter

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to the King, but dissembled the matter, and told him that he and his Brethren must attend the King at *Greenwich* at a day appointed.

Accordingly the Judges attended the King, who was not pleased with their Determination, but commanded them not to deliver any Opinion in this Case without consulting the rest of the Judges, who delayed the Business, and would hear Arguments in the Case, as well as the Judges of the King's-Bench had done, and so the Business was put off to the end of the Term: Then the Court of King's-Bench being ready to deliver their Opinions, the Prisoners were removed to other Prisons; and a Letter came from the King to the Judges, *That this was done because of their insolent Carriage at the Bar*, and so they did not appear.

The Judges of the King's-Bench were sent to by the Lord-keeper to be in *London* on *Michaelmas-day*, and the Chief Justice and Justice *Whitlock* were sent for to the King at *Hampton-Court*, who advised with them about the imprisoned Members; and upon the first day of the Term Mr. *Mason* moved for the Members to have the Resolution of the Court: All the Judges declared, that they were contented the Prisoners should be bailed, but that they must find Sureties for their good Behaviour; *If this Addition of finding Sureties for the Members good Behaviour were part of the good Offices which the Judges did (as Mr. Whitlock says) to bring the King to heal the Breaches*, the Members had little Reason to thank them for their Pains.

Mr. *Selden* pray'd that his Sureties for his Bailment might be taken, and the Matter of the good Behaviour omitted as a distinct thing: So did the rest of the Members, whereupon the Court remanded them to the Tower; *which I suppose is extraordinary, the Court having them in their Power, and the Tower no Prison of theirs in such Cases.*

In the same Term the King's Attorney (*Heath*) exhibited an Information against Sir *John Elliot*, Mr. *Hollis*, *Selden* and *Valentine* in the King's-Bench, setting forth the Matters in effect as were in the Information in the Star-Chamber: to which the Defendants pleaded to the Jurisdiction of the Court; *because the Offences are said to be committed in Parliament, and ought not to be punished in this or any other Court, except the Parliament.*

The King's Attorney moved the Court to over-rule the Plea, tho he did not demur to it; but the Court would not, and gave a day to join in Demurrer, and to have the Point argued; and in *Hillary-Term* the Judges over-ruled their Plea, and the Defendants were ruled to plead further, but they would not; whereupon Judgment was given against them upon a *Nihil dicit*, *That they should be imprisoned, and not delivered till they had given Sureties for their good Behaviour, and made a Submission and Acknowledgment of their Offences,*

Offences, and they were also fined; and what their Fines were you may read in the Appendix of the first Part of *Rushworth's Collections*.

But herein the Judges were not all of one piece, for that venerable and honourable Gentleman Sir *John Walter*, Chief Baron of the Exchequer, and who was no *Durante bene placito*-man, dissented from the rest of the Judges, whereupon the King discharged him from his Place. I have heard my Father say, that when Sir *John* received the King's Message, he returned Answer, that he was intrusted by the King in that Office, *quam diu bene se gesserit*, and that the Law was free for any Man to prosecute him if he had ill demeaned himself in it; but to forsake his Station any other way, implied Guilt, which he was not conscious to himself of: and therefore tho the King sent him his *Quietum*, yet he retained the Perquisites of his Place to his Death.

A little before the Members Sentence in the King's Bench, the King's Attorney exhibited an Information against one *Chambers* a Merchant, for saying, *Merchants have more Incouragement, and are less screwed up in Turkey than in England*. *Chambers* confest the Words, but he spake them of the under Officers of the Customs, who had much wronged him, without reflecting upon the Government; yet the Court fined him 2000 *l.* and to make a Submission, which he refused as *unjust and false*.

The Fine was estreated into the Exchequer, where he pleaded *Magna Charta*, and other Statutes against the Fine, it not being by legal Judgment of his Peers, nor saving his Merchandize: but the Barons would not suffer his Plea to be filed; and afterwards he brought his *Habeas Corpus*, but the Judges remanded him. Thus you see what Fruits the Petition of Right (passed but the Year before) had, and the King's repeated Declarations to maintain the Laws of the Land, and the Liberty and Property of the Subject.

But if this Prince has not kept his Word for the time past, he will keep it he says for the time to come, in the Declaration he made for the Dissolution of this last Parliament. I do not find the Date of it, yet it begins with the usual Prologue; *However, Princes are not bound to give an account of their Actions but only to God*. In this the King says nothing of the Eyes of all Christendom being upon him, but tells how the Aids granted this last Parliament were for Payment of his Fleet and Army; and that with part of those Monies he began to supply his Magazines and Stores, and to put his Navy into a constant Form and Order; and that notwithstanding the Provocations of evil Men (whose Punishment he reserves to a due time) he will maintain the Established Religion and Doctrine of the Church of England, and the antient and just Rights and Liberties of the Subject: Yet as he will maintain the Subjects Rights, so he expects that they yield as much Submission and Duty to his Royal

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Prerogative, and as ready Obedience to his Authority and Command, as had been performed to any of his Predecessors. Then wills his Ministers not to be terrified by the harsh Proceedings strained against them; for as he will support them by his Authority and Prerogative, so he expects they should obey him, and that he will receive the Customs, and the Duty of Five in the 100; and if any factious Merchants refuse to pay, they shall be assured he will find honourable and just means to support his Estate and Sovereignty, and preserve the Authority God had put into his Hands: and for this, his Subjects ought to acknowledge their own Blessedness, and for the same to be thankful to God, the Author of all Goodness. For this you must take the Prince's Word for the next twelve Years. But being thus great and happy at Home, let's see what is doing Abroad.

The War against France was not more inconsiderately begun about two Years before, than the Peace made with it was secret: The first time it was made known was when the French King besieged Privas, he proclaimed the Peace with his good Brother of England: The Reformed were astonished and confounded, that the King of England, who brought them into the War, should leave them out of the Peace: Hereupon Privas surrenders, so does Castres and Nismes; the great Rohan is forced to submit and disband. The Power of the Reformed thus rooted up; and while the King of England is making War against the Members of Parliament, Richlieu marches with an Army into Italy, and takes Salusses and Pignerol from the Duke of Savoy.

Richlieu having thus secured the King of England, took no less care that the Empire should not put a stop to the swelling Ambition of his Master, and to this purpose enters into a Confederacy with the Protestant Princes of Germany, to call the King of Sweden into Germany, who next Year entered into it, where, for eighteen Years, the French Protestant Princes joining the Swede, a most dreadful War was raised all over Germany, so as the French had no cause to fear any Danger thence; on the contrary, they took Brisac, and other Places, and had opportunity to wrest Lotain from that Duke.

But King Charles prospering, as he thought, in his Domestic War, having taken more Prisoners in it, (I mean the Members of Parliament, and Constables of Hertfordshire) than his Father and he had done in all their Wars against France, Spain and the Empire, for the recovery of the Palatinate, was very unwilling to enter into a Foreign; and therefore in a kind of petitioning way, sends Sir Henry Vane his Ambassador to the King of Sweden, to take care of the Patrimony of his Brother, but with no better Success, yet in a more rough, scornful and dishonourable manner than his Father's Ambassadors had with the Emperor. But that he might seem to do something, the King sent Marquess Hamilton with

6000 Men to assist the *Swede*; who, tho every-where else victorious, yet this Army under *Hamilton* had worse Success than that under *Mansfield*, being starved and mouldred away almost to nothing, and yet fought not at all; and being reduced to two Regiments, the King of *Sweden* would not permit King *Charles* to name the Officers. [See *Whitlock's M. f. 15.* and *Franklin's, Anno 1630.*]

The ill Success of *Hamilton's* Army put the King out of all Conceit of prosecuting any Foreign War, and therefore wholly makes it his Business to make himself more Absolute at Home. There is but one Rub in the way, viz. the great Prop of the Church, the Arch-bishop of *Canterbury*, *Abbot*, a Prelate of most eminent Learning, whose upright Integrity stood as an unshaken Rock against the Innovations both in Church and State, which were now so fiercely push'd on by the *Arminians*.

I find but little Action in this Year 1631, things were only preparing to what followed; yet altho Arch-bishop *Abbot* was living, the Torrent run so high in the University of *Oxford*, that several of the Members were proceeded against and censured for Sermons preach'd against *Arminianism*, and expell'd the University, and the Book of Sports and Pastimes upon the Lord's-day was republished: *Judg Richardson* was so hardy as to repress them, but the Bishops took this as an intruding upon the Ecclesiastical Power, and Bishop *Laud* complain'd thereof to the King, and the *Judg* was check'd for it. See *Whitlock's Memoirs, fol. 16, 17.*

But in the Year 1632, this Reverend Prelate died, and thereby left room for *Laud*, the Fire-brand of *Arminianism*, to take Possession. Before we see what follows, let's look back upon what went before: He being of a restless aspiring Temper, in the beginning of King *James* his Reign got to be Chaplain to *Mountjoy*, Earl of *Devonshire*; and to shew he would be great upon any account, he marries the Earl to the Lady *Rich*, tho her Husband was then alive, and had many Children by her, viz. *Robert*, then Earl of *Warwick*, and *Henry* Earl of *Holland*: which Act so displeased King *James*, that the Earl fell into his Displeasure; and tho *Laud* hanker'd near twenty Years after the Court to get Preferment, principally under the Countenance of *Neal* Bishop of *Winchester*, yet the King would never endure to hear of it: But at last, by the Importunity of *Neal* and others, *Williams* Bishop of *Lincoln*, and Lord-Keeper, was prevail'd upon to intercede for him without any Success, till at length the Keeper told the King, *It would be hard to serve a King who could not forgive one Fault.* At last he got the King to prefer *Laud* to the Bishoprick of *St. David's*; but he had not been scarce one Year in his Bishoprick before he became *Williams* his bitter Enemy and Prosecutor, as you may read in the second Part of the Bishop of *Lincoln's* Life; and within less than three Years after he became Arch-bishop, got the

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Bishop of *Lincoln* fined and imprisoned, and his Estate to be sequestred by an Order of the *Star-Chamber*, and at last acknowledged he had never read the Commission by which he acted. These things see in the Bishop of *Litchfield*, par. 2. fol. 125. tit. 119.

Tho *Laud* had never read the Commission by which he acted, yet so zealous was he for the Execution of the Sequestration of the Bishop of *Lincoln's* Estate, that he sends this Warrant to the King's Solicitor (I think Sir *John Banks*.) "It is his Majesty's Pleasure, that you prepare a Commission to the Prebendaries of the Collegiate Church of *Westminster*, authorizing them to keep their Audits, and other Capitular Meetings at their usual times; and to treat and compound with the Tenants for Leases, and to pass the same accordingly, chuse Officers, and confirm and execute all other lawful Acts, for the good and benefit of the College and said Prebendaries: And to take out the Common or Charter-Seal, for sealing such Leases and Grants as will be agreed upon by the Sub-Dean and the major part of the Prebendaries; and also to pass all the Premises under the Title of the Dean and Chapter of the Collegiate Church of *St. Peter* in *Westminster*, during the Suspension of the Bishop of *Lincoln* from the Deanery of *Westminster*: and for doing whereof, this shall be your Warrant. *Lambeth-House*, 22d of November, 1637. *W. Cant.* See *Whitlock's* Memoirs, fol. 25. a.

Whether the King ever granted any such Warrant to *W. Cant.* non constat; for the King never speaks to his Subjects but either personally in Parliament, or under the Broad-seal, which here does not appear; besides, all Warrants of Courts are signed by the Seals of the Courts, and executed by their proper and sworn Officers, neither of which were *W. Cant.* or the King's Solicitor. Yet at this rate was this Nation ridden during the Regency of *W. Cant.*

This *Phaeton* thus mounted up on high, being the first Peer of *England*, was yet higher in the King's Favour, than *Richlieu* was with the *French* King. But as the Temper of these Princes and their Favourites were different, so had they different Fates: *Lewis* was steady and true to his Word, from whence he acquired the Title of *Just*; *Charles* fickle and unstable, easily put upon things by his Favourites, and as suddenly altering them, and doing quite contrary: from whence it was that *Lewis* supported the Cardinal in all his Shocks of adverse Fortune, and to the Indignation of his Mother; whereas *Charles*, in the Adversity of their Fortunes, gave up *Laud* and all his Favourites as a Sacrifice to their Enemies.

As the Fates of these Favourites were different, so were their Parts, *Richlieu's* High, Generous, and the ablest Statesman of the Age; *Laud's* Pedantick and Narrow. After the marrying the Lady *Rich* to the Earl of *Devonshire*, he spent his time in seeking Pre-
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Preferment at Court; and in setting up Factions in the University of Oxford for promoting *Arminianism*.

Richlieu was a Constant Assertor of the Privileges of the *Gallican Church*, and a Hater of the *Jesuits* who bring in Innovations, and exalt a Papal Power above them; whereas *Laud*, not only brought Innovations into the Church of *England*, but was the Head of the *Arminian Party*, under whose Banners the *Popish Party* fought to undermine and destroy the Church of *England*.

Richlieu laid the Foundation of the *French King's* Greatness by Sea and Land; *Laud* put King *Charles* upon such Ways, as proved the Ruin of the King, Himself, and the Church and State of *England*.

But before we proceed herein, let us stay a little and consider the unhappy State of the Education of the Youth of *England* in Grammar Schools and Universities.

The End designed by God and Nature, by Instruction of Youth, is, to honour and worship God, and how to subsist and converse after they become Men; for without the latter it will be impossible to perform the former. I say, this latter no way conduces to the End, by breeding Youth up in Grammar-Schools, and our Universities: for no Man lives out of Society and Commerce; and every Man stands in need of being supplied by another, in things he stands in want of; so that the great End by Education of Youth, is to instruct Youth how to supply another, so as to be able by another to supply himself of such things as he stands in need of: but this is utterly neglected in Grammar-Schools, and our Universities; and yet double more are bred up in Grammar-Schools, and our Universities, than the Revenues of the Church can maintain; and this Breeding fits Youth for no Conversation and Business, but only puffs them up with a Conceit of their Learning, when they understand not that of all Mankind they are the most unlearned and unfit for any Business.

The Supernumeraries of these unhappy Men, who can get no Maintenance in the Church, and by their Breeding are of no use in Church or State, yet desire to live, but can get no Living, but by nourishing Factions against those who are preferred in the Church and State. Poor Men! they know no better, and if this be taken from them, they know not how to live: From whence it follows, that unless these Supernumeraries be restrained in their Education, which cannot be but by rooting out of Grammar-Schools, and the chopping Logick in our Universities; whereby, I say, no rational Proposition, in any Art or Science, was ever inferred from *Aristotle*, *Descartes*, or any since; these Supernumeraries will as necessarily nourish Factions in *England*, as the *Jesuits* do here, and in the rest of *Christendom*.

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Many of these Supernumeraries got their Maintenance by being Chaplains to Noble-men, and Gentlemen; but in both, they regarded more the Humour of the People where they were Lecturers, and Disposition of their Patrons and Patronesses where they were Chaplains, than the Liturgy of this Church.

The Diocess of London was too contracted to restrain the boundless Ambition of this Bishop; for the last Parliament was no sooner dissolved, but Laud presented the King with *Considerations*, for the better settling Church-Government in both Provinces, of York as well as Canterbury.

The 4th of these was, That a special Charge be given against frequent and unworthy Ordinations; but *Latet Anguis in Herba*, None shall be worthy but *Arminians*.

The 5th was, That special Care be had of our Lecturers in every Diocess, which by reason of Pay, are the Peoples Creatures, and blow the Bellows of their Sedition; But if the Bishop will not let them do this, they know no other way to live, and willingly would not starve.

For abating the Peoples Power, the 2d Consideration is, That every Bishop in his Diocess ordain, that every Lecturer do read in his Surplice *Divine Service*, before his Lecture; which if he does, 'tis twenty to one, those that pay the Lecturer will pay no more: What then becomes of the Lecturer? for there's no other Provision made for him.

The 6th is, That if a Corporation maintain a Lecturer, that he be not permitted to preach, till he take care of Souls within the Corporation: *How this can be, I don't understand, unless the Lecturer have a concurring or distinct Power from the Incumbent.*

The 7th is, That none but Noble-men, and Men qualified by Law, may keep Chaplains. *Yet in your Religious Care you take no care how otherways they may subsist.*

The 8th is, That Emanuel and Sydney Colleges in Cambridge, which are the Nurseries of Puritanism, may be from time to time furnished with Grave and Orthodox Men for their Governors, *or, Such as shall do the Arminian Work, without any regard to the Statutes of the College.*

All these Considerations must be taken for Acts of the Church of England, and a Neglect, or Breach of them, sufficient for an information in the *High Commission*, where he is assured he shall shortly judg; and therefore his Majesty in the 9th Consideration, to countenance the *High Commission*, by the Presence of some of the Privy-Council, at least so often as any Cause of Moment is to be settled.

The 10th Consideration is, That Course may be taken, that the Judges may not send so many Prohibitions; *Which if they do from*

any of his Censures in the High Commission, he will proceed against them by Excommunication.

Thus you see this Icarus is not only content to take a Flight out of his Dioceß, but over the whole Provinces of York and Canterbury in Ecclesiastical Affairs, and extends it as he pleases over the Civil.

These were the Seeds which this Bishop planted while he was Bishop of London; you may be sure he'll reap a good Crop now he's become Metropolitan of all England. During the time of his being Bishop of London, he was look'd upon as the Rising Sun, which the flattering Students in both Universities worshipped; but after he became Arch-Bishop, the Learning of both Universities were Brawls about *Arminian* Tenents in the Schools and Sermons, the *Arminians* treating their Opponents with all taunting and reproaching Terms; and if their Opponents retorted, they were had up into the High Commission, where the Arch-Bishop presided, assisted by his Ecclesiastical Judges, and Ministers of the Prerogative Court, and some of his Majesty's Privy-Council; but I do not read of one cited for maintaining *Arminian* Tenents. It's scarce credible how the Business of this Court, the *Star-Chamber*, and Council-Table swelled, and what cruel and unheard of Censures were made, especially in the *Star-Chamber*, against all sorts of People, who did offend either against the King's Prerogative Royal, or the Arch-bishop's Injunctions, which must be obeyed as Articles of the Church of England: The Thunder of them was not restrained within the Bounds of England, but terrified almost all Scotland, who were bitter Enemies to *Arminianism*.

At this time of day the Court-Bishops disclaimed all Jurisdiction from the King in *Bastwick's* Censure, who was to pay 1000 *l.* Fine, to be excommunicated, debarr'd of his Practice of Physick, his Books to be burnt, and his Person imprisoned till he made a Reclamation, and all this for maintaining the King's Prerogative against the Papacy. See *Whitlock's Memoirs*.

The Bounds of England were too narrow to restrain this Man's Ambition; and therefore before he had been two Months Arch-bishop, viz. the 8th of October, 1633. he advised the King to make a Reformation in the Church of Scotland; not by Confession in Parliament, but by his Prerogative Royal: the Beginning of this Reformation must begin at the King's Chappel Royal, where the *English* Service, the Surplice, and the receiving the Sacrament is enjoined; and that the Lords of the Privy Council, the Lords of the Sessions, and the Advocate, Clerks, Writers to the Privy Signet, and Members of the College of Justice, be commanded to receive the Sacrament once every Year in the said Chappel, and the Dean to report to the King, who does, or who does not obey; and the Arch-bishop had a Warrant from the King, to ha-

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Correspondence with the Bishop of Dunblane, and to communicate to him his Majesty's farther Pleasure herein. And so we leave the Affairs of the Church here for a while, and see how Affairs stood in the State since the Dissolution of the last Parliament.

In the last Parliament among many famous Members, Sir *Thomas Wentworth* and Mr. *Noy* excelled; Sir *Thomas* for his admired Parts, and natural and easy Elocution; *Noy*, as a most profound Lawyer; both zealous Patriots for the Rights and Liberties of the Subject. And upon the 12th of February, 1628. when the Debates for granting Tunnage and Poundage to the King, was in the House of Commons, Mr. *Noy* argued, *We cannot safely give, unless we be in Possession, and the Proceedings in the Exchequer be nullified, as also the Information in the Star-Chamber, and the Annexion to the Petition of Right; for it will not be a Gift but a Confirmation; neither will I give without the Removal of these Interruptions, and a Declaration in the Bill, that the King has no Right, but by our free Gift; if it will not be accepted as it is fit for us to give, we cannot help it; if it be the King's already, we do not give it: So that these two must be reckoned among those Vipers, which the King declared at the Dissolution of the Parliament, and must look for their Reward of Punishment.*

The Reward of Punishment, which these two *Vipers* had, was, that Sir *Thomas Wentworth* was made Lord President of the North, and Mr. *Noy* Attorney General; Sir *Thomas* strained the Jurisdiction so high, that it proved the Ruin of the Court, and the Rise of the Fame of Mr. *Edward Hyde* (after Chancellor of England) for the Speech he made in 1641, against the Abuses committed in it, whilst Sir *Thomas* was President; and *Noy*, now he is become Attorney, is become the most intimate Confidant of the Archbishop, and as forward in Informations in the *Star-Chamber*, High Commission and Council-Table, as Sir *Robert Heath* was, who is made Chief Justice in the *Common Pleas*, to make room for *Noy* to be Attorney General.

But while the King was erecting this new Principality over his Subjects, which none of his Ancestors or Predecessors before his Father and himself ever pretended to in England; it's fit to look a little abroad, and see how the Case stood there.

The Dutch, the next Year after that his Father had given up the *Cautionary Towns*, which Queen *Elizabeth* kept, and delivered up to him by her Death, well knowing the Poverty of King *James*, and the ill Terms between the King and his Subjects, took the Boldness to fish upon the Coasts of England and Scotland, with their Busses and other Vessels guarded by Men of War, in Defiance of him; and now *Grotius* (no doubt set on work by some of his Country-men) perceiving how intent King *Charles* was in erecting his new Dominion over his Subjects, that he became careless

of all his Foreign Affairs, took the Impudence to write a Mercenary Treatise, called *Mare Liberum*, wherein he will not allow the King to have any Title to the Sovereignty of the *British Seas*, or his Subjects any more Right to fish in them, than the *Dutch*, or any other Nation. But how consistible this Treatise is to Truth, Antiquity, the sacred Scriptures, or to *Grotius* himself, or to the Practice of his Country-Men, is now fit to be enquired into. And since I have as well as I can asserted the Laws and Constitutions of my Country at home, I will with that Sincerity that becomes an English-man, endeavour to vindicate the Honour of it abroad, especially in our King's Sovereignty of the *British Seas*, which *Grotius* so absurdly in his *Mare Liberum*, endeavours to rob them of.

An Answer to *Grotius* his *Mare Liberum*, wherein is shewed how often he contradicts himself; how ignorant he is in all Principles and Methods in Reasoning; and how impossibly contrary his pretended Arguments are to Sacred History, and all ancient Authority.

But before we enter hereupon, it's fit to see, how the Case stood before *Grotius* wrote his *Mare Liberum*, as well in reference to the King of *England's* Claim, as how the Case stood between the King and *Dutch*, when *Grotius* wrote his *Mare Liberum*.

And that we may avoid the endless Confusions, which *Grotius* above all other Writers abounds in, I require these Premises.

First, That God made all things in the Waters, as well as upon the Earth, for the Use of Man.

Secondly, That no Man upon the Waters, as well as on the Earth, did live out of Society.

Thirdly, That in Society the Offices of commanding and obeying are necessary.

Fourthly, That Anarchy is as abhorrent among Men upon the Waters, as upon the firm Land; and as impossible for Men to subsist in the one as in the other.

Fifthly, Piracy by Sea, is a Crime equal to Theft by Land.

Sixthly, Killing a Man by Sea, without lawful Authority, is a Crime equal to Murder by Land.

Note, *Grotius* answers not one of these Principles, nor shews by any Authority, when or where the Dominion of the Seas was by Usurpation: Whereas the contrary has been practised by Kings and States, as old as there are Records of any times; but only feigns Premises, not only contrary to the Authority of sacred History, and all Antiquity, but such as are absurd, blasphemous, and impossible, considering the Nature of Man: But these are not said in his *Mare Liberum*, but in his Preface and Treatise of War and Peace. So that to have answered these in this Treatise, would

would have swelled it to a much greater Bulk than intended ; but if God please, I shall hereafter answer these in a Treatise by it self.

The Principles thus premised, we proceed to enquire what Sovereignty the Kings of *England* have claimed in the *British Seas*, bordering upon *England* and *Ireland*, since that Kingdom became subject to the Crown of *England*; and leave it to unbiassed Readers, whether the Kings of *England* claimed any thing contrary to any of these Premises.

The Claims which the Kings of *England* make to the Sovereignty of the *British Seas*, are threefold :

1. To protect their Subjects in all their just Employments upon the *British Seas*, from all Hostility by Enemies ; whereof the Fishing in these Seas are the chief.

2. To prevent Hostility by other Nations in these Seas.

3. To receive an Acknowledgment from all Nations for their Protection in these Seas, by striking their Flag in Submission to the King's Men of War which protect them.

By this Dominion of the *British Seas*, the Kings of *England* more secure their Subjects from foreign Invasion, than any other Potentates in the World, how great soever their Territories are, can do.

I will not swell this Treatise with what Mr. *Selden*, Sir *John Burroughs*, Mr. *Camden*, and others, have written of the Kings of *England* being possessors of these Rights by immemorial Prescription ; and of the Maritime Laws they have made, as well in reference to their Subjects as Foreigners ; nor of the Treaties they have made with Foreign Princes, and the Compositions they have made for Licence to fish in the *British Seas*, before the *Dutch* Government was formed into States : nor was ever these Rights disputed by any of them, before *Grotius* did this Year.

Nor is this Dominion in the Seas new in the World, but as old as any Records of Time ; for of old the *Egyptians*, *Phenicians*, and *Athenians* enjoyed it, and set Bounds to other Nations, how far they would permit Nations to trade in them.

Sir *Walter Rawleigh*, in his History of the World at large, sets forth the long Wars between the *Romans* and *Carthaginians*, in the first *Punick* War for this Dominion ; and the *Romans* being often beaten by the *Carthaginians*, resolved to desist further Contention herein, till they found that it was to little purpose to strive to extend their Dominion by Land, if the *Carthaginians* were Masters at Sea.

So that the Dominions of the Seas, which beat upon the Shores of Princes, are not new, or only usurped by the Kings of *England*, but used by other Princes and States of old.

From more ancient, to descend to more recent times ; the *Venetians* claim the Sovereignty in the *Adriatick Gulf*, tho the *Ven-*

than Territories on either side of it are not one sixth part of it; And cause all Ships, even of the King of Spain and Great Turk, whose Territories on both sides the Gulf are fivefold more than the Venetians, to pay Customs and other Duties.

In the Year 1630, Mary the Sister of the Queen of Spain being espoused to the Son of the Emperor Ferdinand, the Vice-Roy of Naples provided a great Fleet to transport her to Trieste; but tho the Venetians were involved in a War abroad, and infected with a Plague at home, they would not permit it; but conveyed her by a Fleet of their own. See *Jo. Palatius de Dom. Maris*, l. 2. c. 6.

In the Year 1638, a Turkish Fleet entering the Gulf without Licence, was assailed by the Venetian Admiral, who sunk divers of their Vessels, and forced the rest to fly to Valona, and there besieged them, tho the City and Port were in the Dominion of the Great Turk: yet tho a dangerous War was like to have ensued hereon, the Venetians, rather than lose their Dominion, insisted on their Right, and concluded an honourable Peace with the Turk; wherein it was agreed, That as often as any Turkish Vessels did without Licence enter the Gulf, it should be lawful for the Venetians to seize upon them by force, if they would not otherwise obey, (see the Justification of the second Dutch War by K. Charles II. pag. 58) and the Grand Signior prohibits all Nations, except his Vassals, to enter the Euxine or Black Sea, as also the Red Sea.

Dr. Stubbe, in his Justification of King Charles the Second's Dutch War, pag. 126. says, the Danes and Norwegians would not permit either Fleming or English to fish near Schetland without Licence previously obtained; and if any presumed to fish without Licence, they punished them with Loss of Life and Limb, and were obliged to repair to Berghen, and pay their Duties into the King's Exchequer there, as appears by the Danish Records, and other Monuments preserved in England: and this avowed to have been practised constantly time out of mind, Ann. 1432.

Afterwards, upon the Marriage of James 3. of Scotland with Margaret the Daughter of Christian 1. of Norway, the Rights of the Fishery upon Schetland was transferred to the King of Scotland and his Heirs, Anno 1470. and William Walwed, a Scots Lawyer, c. 3. de Dominio Maris, says, That in the past Age, after a most bloody Quarrel between the Scots and Hollanders about the Fishery, the Matter was at last composed in this manner.

That in time to come the Hollander should keep at least eighty Miles from the Coasts of Scotland: And if by Accident they were driven nearer by the Violence of the Weather, they paid a Tribute at the Port of Aberdeen before their Return; where there was a Castle built and fortified for this and other Occasions.

Dr. Stubbe says, that Gerard Malinut, a most inquisitive Person, informed him, That after the Agreement between the King of Scotland

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Scotland and the *Hollanders*, that the *Dutch* should not fish within eighty Miles of the *Scots* Coast, lest the Shoals of Herrings should be interrupted; King *James*, before his coming to the Crown of *England*, did let the Fishing upon the Coast of *Scotland* to the *Hollanders* for 15 Years: And if this happen'd in the Year 1594, when Prince *Henry* was born, then in the Year 1609, the Term expired, when King *James*, by his Proclamation, enjoined the *Dutch* which fished upon the Coast of *Scotland*, to take Licences. But certain it is, that the *Dutch*, to carefs King *James* the more, at the Christning of Prince *Henry* were his Godfathers, and presented the Prince with 400 Ounces of fine Gold, and a Deed sealed, whereby the Prince was yearly to receive 5000 *Florins* out of *Camp-verre*.

Mr. *Stubbe* says, pag. 131, I believe from Authors truly cited by him, The King of *Denmark* receives at his Ward-House in the *Sound* one Dollar for a Licence, and for the Seal, or Rose, a Noble of every Ship; and for every Last of Herrings (being 12 Barrels) one Dollar. In *Russia*, many Leagues from the *Main* (or Land) the Fishermen pay great Taxes to the King; and in most places, none but the Natives are permitted to fish; but where the *Hollanders* are permitted to fish, they pay the tenth Fish to the Emperor. The King of *Sweden*, amongst the Regalities of that Crown, hath that of the tenth Fish caught in his Seas; or if not that, a Composition for the Fishery: he has also several Districts, Channels, or Veins Royal in his Seas, which are appropriated to his particular Use. Nor is there any Fishing permitted in the open Seas there, but by Leave and Direction of the Governour of the neighbouring Ports.

And Page 132 he says, the same is practised by the King of *Portugal* in the Kingdom of *Algarfues*, and the Natives pay a certain Tribute for their Liberty to fish: And in *Spain*, the Duke de *Medina Sidonia* does rent out of the Maritime Jurisdiction what he hath in reference to Fishing, for 80000 Ducats of yearly Revenue.

Has not *Grotius* a fruitful Brain, to find out those Usages by Princes and States, in all Ages, to be Usurpation against natural Right, which *lib. 1. sect. 10. tit. 5. de jure Belli & Pacis*, is immutable by God himself; and which never any Man before presumed to question? But before we enquire into the Causes from which *Grotius* assumes to himself a Power, which he denies to be in God Almighty, let's see how the Case stood with the *Dutch* when *Grotius* wrote his *Mare Liberum*, both at home and abroad.

Tho the Seas were free, *jure naturali*, as *Grotius* says, yet I have seen a *Dutch* Placart, printed the Year before *Grotius* wrote his *Mare Liberum*, viz. 1632, and which *Grotius* might have seen as well as I, wherein the States prescribe when and where the *Dutch* shall begin and proceed in their Fisheries; and wherein they

forbid the Use of *French Salt* in all their Fisheries; and that Salts used in all of them shall be three times revised in three several Offices, upon Penalty of Forfeiture of Fish and Salt: which, by *Grotius's* Doctrine, is an Usurpation of the Natural Right which every Man has in the Sea, and immutable by God himself.

Dr. Stubbe, Page 132, says, That the Fishermen in one Year paid the States 300000 *l.* for the Herrings and Codfish taken upon the Coasts of *England* and *Scotland*; besides the tenth Fish and Cask, paid for Wastage, which comes at least to as much more, which are Duties proper to the Kings of *England* and *Scotland*. So that if what the Kings of *England* ever claimed by immemorial Prescription, be an Usurpation against natural Right, by *Grotius's* Doctrine, I would be willingly informed by any of *Grotius's* Disciples, by what Right then do these new States impose these things upon the *Dutch*, who fish in these Seas.

If the Sea be free, *Jure naturali*, let any Man shew a Reason, how the *Dutch* erect their *East-India* and *West-India* Companies only to trade in the *East-Indies*, *Africk*, and the *West-Indies*, exclusive to the rest of the *Dutch*, without a Violation of the natural Right of the other *Dutch*, which *Grotius* says is immutable by God.

As *Grotius's* Title, *Mare Liberum*, is absurd, and contrary to the Practice of his Country-men, so his *Manifesto* of it is not less arrogant and intolerable, viz. To the Princes and free People of the *Christian World*, without so much as the Addition of sending greeting. An Arrogance which no Pope ever assumed, yet done by *Grotius*, an exotick and proscribed Traitor, for raising Arms, and endeavouring to subvert the establish'd Church and State of his native Country.

The Topick whereon he founds his *Manifesto* is general, and such as no Thief or Rogue ever pleaded to save their Lives; viz. It is an Error not less old than pestilent, which many Mortals, but those especially who most abound in Wealth, perswade themselves that Just and Unjust is not distinguished by its own Nature, but by an empty Opinion and Custom of Men; and that all Right is to be measured by the Will, and the Will by Profit.

But who these are who maintain these Opinions, *Grotius* names none; if they were his Acquaintance (which I believe none of the Kings or Free People were, except his Country-men were) he should have convinced them to their Faces, and not sneakingly have cavill'd at them behind their Backs. I say, I find this by no Nation or People so much practis'd as by the *Tripolins*, *Tunis*, *Algier*, and *Sally-men*, and his Country-men, as will appear: And if this will not oblige all Christian Princes and Free People to abandon all their Rights of Dominion to the Seas, whereof they have been possessed by immemorial Prescription, and leave all free for the

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the *Dutch* to do what they please in them, then *Grotius* is at a Non-plus further to enforce it in his *Manifesto*: If any Man can find any thing else to do it, let him have it for his Pains, I'll not envy him. But how hainously soever *Grotius* takes this old and pestilent Error, yet he allows it in himself, *L. 1. C. 1. Sect. 10. de Jure Belli & Pacis*, where he makes the Original of Human Society and the Law of Nature to be from the Will of Man, and to be immutable by God himself: But of this more shall be said hereafter.

The first Chapter of *Grotius* his *Mare Liberum* is, to shew, that *Jure Gentium*, Navigation is free to all Men every where; and therefore the *Dutch* may trade to the *East-Indies*, tho the *Portuguez* were Lords of the whole *East-Indies*; but much more it would be unjust in the *Portuguez* to exclude the *Dutch* from trading with those People there who have no Dependance upon the *Portuguez*, and are willing to entertain Trade and Commerce with the *Dutch*.

Answer, He who accuses another of any Crime, had need take care he be not guilty of the same himself; and if it be so old and pestilent a Crime in Princes and States to claim a Dominion in the Sea, tho enjoyed by Immemorial Prescription, *Grotius* should have done well to have shewed how his Country-men (the beginning of whose States was in the Memory of thousands then alive) should arrogate to themselves to be Commanders of all the Seas in the World, Protectors of all the Kings and Princes in Europe, and Supream Moderators of all the Affairs of all Christendom, as you may read in William de Britaine of the *Dutch Usurpation*, pag. 20.

If it be so old and pestilent an Error in the King of England to claim an Acknowledgment of Submission of the *Dutch*, for the Kings protecting them in the British Seas; how much more pestilent an Error was it for the *Dutch*, Anno 1620, without any Provocation of the English, and in time of Peace, to seize the Bear and Star, two English Ships, in the Straits of Mallaca, going to China, and confiscated Ships and Goods valued at 150000 l.? See William de Britaine, pag. 18. So that it is by *Grotius* his Doctrine an old and pestilent Error in the King of England, to protect all Nations in the British Seas from Piracy and Violence, and free to the *Dutch* to be Pirates in the Indian Seas by a Grant from Hugo *Grotius*.

If the Seas be free, *Jure Gentium*, for all Nations to trade with one the other, How then came it to pass, that the *Dutch* excluded all Nations from trading to Amboyna and Polloroon for Spice, to which they had no Title, but by forcing the English from them in times of Peace, and when they received no Injury from the English, &c. to say no worse?

And if it be so much more injurious for the *Portuguez* to hinder the *Dutch* from trading to those Kingdoms and People in the *East-Indies*,

forbid the Use of *French Salt* in all their Fisheries; and that Salts used in all of them shall be three times revised in three several Offices, upon Penalty of Forfeiture of Fish and Salt: which, by *Grotius's* Doctrine, is an Usurpation of the Natural Right which every Man has in the Sea, and immutable by God himself.

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If the Sea be free, *Jure naturali*, let any Man shew a Reason, how the *Dutch* erect their *East-India* and *West-India* Companies only to trade in the *East-Indies*, *Africk*, and the *West-Indies*, exclusive to the rest of the *Dutch*, without a Violation of the natural Right of the other *Dutch*, which *Grotius* says is immutable by God.

As *Grotius's* Title, *Mare Liberum*, is absurd, and contrary to the Practice of his Country-men, so his *Manifesto* of it is not less arrogant and intolerable, viz. To the Princes and free People of the *Christian World*, without so much as the Addition of sending greeting. An Arrogance which no Pope ever assumed, yet done by *Grotius*, an exotick and proscribed Traitor, for raising Arms, and endeavouring to subvert the establish'd Church and State of his native Country.

The Topick whereon he founds his *Manifesto* is general, and such as no Thief or Rogue ever pleaded to save their Lives; viz. It is an Error not less old than pestilent, which many Mortals, but those especially who most abound in Wealth, perswade themselves that Just and Unjust is not distinguished by its own Nature, but by an empty Opinion and Custom of Men; and that all Right is to be measured by the Will, and the Will by Profit.

But who these are who maintain these Opinions, *Grotius* names none; if they were his Acquaintance (which I believe none of the Kings or Free People were, except his Country-men were) he should have convinced them to their Faces, and not sneakingly have cavill'd at them behind their Backs. I say, I find this by no Nation or People so much practised as by the *Tripolins*, *Tunis*, *Algier*, and *Sally-men*, and his Country-men, as will appear: And if this will not oblige all Christian Princes and Free People to abandon all their Rights of Dominion to the Seas, whereof they have been possessed by immemorial Prescription, and leave all free for the

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the Dutch to do what they please in them, then *Grotius* is at a Non-plus further to enforce it in his *Manifesto*: If any Man can find any thing else to do it, let him have it for his Pains, I'll not envy him. But how hainously soever *Grotius* takes this old and pestilent Error, yet he allows it in himself, *L. 1. C. 1. Sect. 10. de Jure Belli & Pacis*, where he makes the Original of Human Society and the Law of Nature to be from the Will of Man, and to be immutable by God himself: But of this more shall be said hereafter.

The first Chapter of *Grotius* his *Mare Liberum* is, to shew, that *Jure Gentium*, Navigation is free to all Men every where; and therefore the Dutch may trade to the *East-Indies*, tho the *Portuguez* were Lords of the whole *East-Indies*; but much more it would be unjust in the *Portuguez* to exclude the Dutch from trading with those People there who have no Dependance upon the *Portuguez*, and are willing to entertain Trade and Commerce with the Dutch.

Answer, He who accuses another of any Crime, had need take care he be not guilty of the same himself; and if it be so old and pestilent a Crime in Princes and States to claim a Dominion in the Sea, tho enjoyed by Immemorial Prescription, *Grotius* should have done well to have shewed how his Country-men (the beginning of whose States was in the Memory of thousands then alive) should arrogate to themselves to be Commanders of all the Seas in the World, Protectors of all the Kings and Princes in Europe, and Supream Moderators of all the Affairs of all Christendom, as you may read in William de Britaine of the Dutch Usurpation, pag. 20.

If it be so old and pestilent an Error in the King of England to claim an Acknowledgment of Submission of the Dutch, for the Kings protecting them in the British Seas; how much more pestilent an Error was it for the Dutch, Anno 1620, without any Provocation of the English, and in time of Peace, to seize the Bear and Star, two English Ships, in the Straits of Mallaca, going to China, and confiscated Ships and Goods valued at 150000 l.? See William de Britaine, pag. 18. So that it is by *Grotius* his Doctrine an old and pestilent Error in the King of England, to protect all Nations in the British Seas from Piracy and Violence, and free to the Dutch to be Pirates in the Indian Seas by a Grant from Hugo *Grotius*.

If the Seas be free, *Jure Gentium*, for all Nations to trade with one the other, How then came it to pass, that the Dutch excluded all Nations from trading to Amboyna and Polloroon for Spice, to which they had no Title, but by forcing the English from them in times of Peace, and when they received no Injury from the English, &c. to say no worse?

And if it be so much more injurious for the *Portuguez* to hinder the Dutch from trading to those Kingdoms and People in the *East-Indies*,

Indies, who have no Dependence upon the Portuguez; I would know a Reason why it is not as highly injurious in the Dutch by their Fort Lillo upon the Scheld, to hinder the English and all other Nations from trading to Antwerp, and other Places in the Spanish Netherlands, which have no Dependence upon the Dutch.

Here give me leave to observe, (tho after *Grotius* wrote his *Mare Liberum*) That in the *Mayne Treaty* made by King *Charles* the Second, Anno 1674, it was agreed by the first Article, that the Subjects of the King should with all Freedom and Safety sail and trade in all those Kingdoms and Countries in Peace, Amity or Neutrality with the King, and not be hindered or molested by Military Force, or Ships of War of the Dutch, upon any occasion of Hostility or Difference which now is or hereafter shall be; yet this Treaty was scarce concluded, when the English Ships trading to Antwerp, were stoppt by a Dutch Man of War riding before the Fort Lillo, and forced to go back to Flushing or Rotterdam, and there constrained to unlade their Vessels and pay their Customs, and lade their Goods in Dutch Bottoms, and to pay such Fraights as the Dutch pleased to impose upon them, and this Usage notwithstanding this Treaty is still continued. I think a like Instance cannot be given, that ever any King of England served the Dutch or any other Nation so trading in the British Seas.

I do agree with *Grotius*, that God hath so disposed this our Habitable Globe, that some Places abound with things convenient and necessary for Human Use, which the People of other Places want; and that for the Entertainment of mutual Society and Commerce in all the habitable Places of the World, Accession may be had by Water, which cannot be done by Land; but this cannot be done in a State of Anarchy, or where Men live out of Society; which tho *Grotius* would have the Dominion of the Sea to be, yet he gives not one Instance of it, nor how it can possibly be: but more of this when we examine *Grotius* his Original of Human Society in his Treatise, *De Jure Belli & Pacis*.

The second Chapter of *Grotius* his *Mare Liberum* is, that the Portuguez have not right of Dominion to those Indies to which the Dutch trade, by the Title of Invention, or first finding them out.

Ans. They have as good a Title as the Dutch have to their new *Batavia*, which they filcht from the Natives; or to *Ambona*, *Polloroon*, the Islands of *Seran*, *Nero*, *Waire*, *Basingen*, *Latro*, *Cambello*, *Nitto*, *Larica* and *Lantare*, which they filcht from the English, then at Peace and Amity with them.

The third Chapter is, the Portuguez have no right of Dominion to the Indies by the Donation of the Pope.

Ans. Yet this Title is better than the Dutch have, who have no Donation but by their own Will and Usurpation.

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The fourth Chapter is, the *Portuguez* have no right of Dominion against the *Indians* by the Title of War.

Ans. As much as the *Dutch* have; nor did they ever practise such Barbarities against the Natives and other Nations trading to the *East-Indies*, as the *Dutch* have done and yet do.

The fifth Chapter is, that the right of navigating to the *Indies*, is not proper to the *Portuguez* by the Title of Occupation; and here *Grotius* tells you abundance of Fictions of Poets, and Tales of popular Orators, which may serve better for Ballads, than Foundations of a Discourse of this Nature.

Ans. The *Portuguez* Title herein is better than the *Dutch*, for they were Occupatants long before the *Dutch* were, or their Government was form'd into States.

The sixth Chapter is the same with the third, and needs no other Answer.

The seventh Chapter (tho in the Print the third) is, that the right of Navigation is not proper to the *Portuguez* by the Title of Prescription or Custom.

Ans. As *Grotius* puts the Case at large, I do not find nor believe the *Portuguez* ever claimed or pretended to any such Custom or Prescription; so this is a Bag of Clouts of *Grotius* his own setting up, and he might have saved himself the labour of throwing Stones at it.

The eighth Chapter is, that *Jure Gentium*, Trade is free with all Men.

Ans. True, but this is in established Governments, and not in a State of Anarchy, and where Men live out of Society, as *Grotius* drives at.

In the ninth Chapter, *Grotius* chews the Cud upon what he said Chapter the fifth, and needs no other Answer.

The tenth is the same with the third Chapter.

The eleventh Chapter is, that the Trade with the *Indians* is not proper to the *Portuguez* by right of Prescription or Custom.

Ans. This Chapter is more restrained than the seventh, yet it is so large, if you take the *Indies*, as our *East-India* Company does, from *Cape Bon Speranza* to the North of *China*, including the East of *Africk*, and both sides of the *Red-Sea* and *Persian* Gulph, and the Islands which lie between the *Cape of Good-Hope* and the North of *China*, it is more than half the Circumference of the Globe of the Earth: But this is another Bag of Clouts of *Grotius*'s setting up, for I do not believe or find the *Portuguez* ever made any such Claim, or if they did, it would have been impossible to have maintained it.

The twelfth Chapter is, that the *Portuguez* endeavour by no Equity to forbid Trade, which if they do, I do agree with *Grotius*. These Premises thus learnedly established, you need not doubt but that

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The thirteenth Chapter is, that the *Dutch* have a Right of entertaining Commerce to the *East-Indies*, as well in Peace and in making Truces, as in War.

Note, I have heard a Story of the *Cham* of *Tartary*, that after he has din'd, he gives leave by found of Trumpet to all the other Princes and Potentates in the World to go to Dinner: so *Grotius* after he had bound up all Nations at Land by his Civil Compact in his *Jus Belli & Pacis*, in his *Mare Liberum* gives the *Dutch* Liberty to do what they please at Sea, by a Grant from *Hugo Grotius*.

But I have often wondred what should engage *Grotius* to write this Treatise of *Mare Liberum* in favour of his Country-men; for at this time he was a proscribed Traitor by them, and if you'll take his Word, in the Dedication of his *Jus Belli & Pacis* to *Lewis* the 13th, he was ill used by them, unless it were as *Cain* *Marius* did, after he was proscribed by the Senate to be an Enemy to *Rome*, refused to enter *Rome* till his Proscription was revoked by the Senate, which when they met to do, *Marius* entred *Rome* and massacred them; so *Grotius* hoped by this Treatise to have his Proscription reversed, and that he might return home again to set his Country-men at Land together by the Ears, and in Tumults, as he endeavoured to have done before.

And if it be true which *Grotius* says, *Lib. 2. cap. 2. de Jure Belli & Pacis*, that before the Civil Pact all things at Land were in common; and that no Man had Right to any thing, but that another by the same Right might take it from him, and that the Civil Pact was never of the Sea: Whether this does not justify all Pirates and Robbers at Sea in all their Depredations and Piracies? But because we see but by halves here, we will hereafter examine his Civil Pact, and see how Men by his Reasons come to be bound up by Land and loose at Sea, which neither *Mr. Selden*, nor any other that I have seen who wrote against *Mare Liberum* have done. But if it be so old and pestilent an Error in all other Christian Kings and States, to assert their Rights and Dominion upon the Seas, *Grotius*, if he had had any Ingenuity, should have admonished his Country-men to have avoided this old and pestilent Error before he charged all other Christian Princes and States with it, but of this he says not one word.

But to return; Noy, how zealous soever he was against granting the King Tunnage and Poundage, he must now find a way how the King may raise Ship-money, besides Tunnage and Poundage not granted by Parliament, nor Ship-money neither: The Ground-work was, that the King was in great danger by Pirates, and the King sole Judg of the Danger: He had finished the Work, but liv'd not to see it put in Execution, for he died the 9th of August, 1534, to the great regret of the Arch-bishop.

In September following Sir Edward Coke died, but upon his Death-bed Sir Francis Windebank, *Laud's* old Friend, by an Order of Council came to search for seditious and dangerous Papers, by virtue whereof he took Sir Edward Coke's Comment upon *Lit-tleton*, and the History of his Life before it, written with his own Hand, his Comment upon *Magna Charta*, &c. the Pleas of the Crown, and Jurisdiction of Courts, and his 11th and 12th Reports in Manuscript, and I think 51 other Manuscripts, with the last Will of Sir Edward, wherein he had for several Years been making Provisions for his younger Grand-Children: the Books and Papers were kept till seven Years after, when one of Sir Edward's Sons in 1641, moved the House of Commons, that the Books and Papers taken by Sir Francis Windebank might be delivered to Sir Robert Coke, Heir of Sir Edward, which the King was pleased to grant, and such as could be found were delivered; but Sir Edward's Will was never heard more of to this day.

I do not find that the Arch-bishop was the first Mover of this, nor do I find the like was ever done before the Arch-bishop was Premier Minister of State; yet this I find, that Windebank was found to be one of the Fomenters for carrying on the Popish Design with Con Cardinal Richlieu's Chaplain, in the Year 1640.

Sir Edward is removed by Death in September, and Sir Robert Heath in October is removed from being Chief Justice of the Common-Pleas, to make room for Sir John Finch, as Heath before had been made Chief Justice to make room for Noy to be Attorney-General: You need not fear but that Sir John Finch (now a Favorite of the King and Queen and Arch-bishop) who could put no Question when he was Speaker, shall without Question judg Ship-money to be lawful, whatever *Magna Charta*, or *Petition of Right* says to the contrary: Nor shall he stay here, but be the prime Agent in breaking through the Bounds of *Charta de Foresta*, by enlarging the Limits of the Forests, so as no Man, if the Parliament in 1641 had not prevented it, could tell where it would have stopped. But this was not all the Reason why Heath was turn'd out and Finch put in, it was Kilvert's Pleasure, one of *Laud's* Instruments, to ruin his Patron the Bishop of Lincoln, as you may see in the second Part of his Life, fol. 118. tit. 113. and it exceeds all Belief, by what execrable means *Laud*, by Finch, Kilvert and Windebank, conspired the Ruin of the Bishop of Lincoln, if so grave an Author as the Bishop of Litchfield had not reported it in the Bishop of Lincoln's Life. See the second Part, fol. 138.

The Writs for Ship-Money are now issued out; the Proceedings against the Officers for not collecting the Assessments, as Constables, Bayliffs, and other Officers, were to bind them over to answer at the Council-board, and Commitment, if any refused to give Bond; but if Sheriffs neglect to collect all such Assessments in their Year,

Year, they shall stand charged with the Arrears. Thus things at present stood, but the breaking the Bounds of the Forests was but in *Embrio*, yet in a hopeful Production.

Thus things stood in the State about the end of the Year 1634. In the Church the Arch-Bishop had the sole Supremacy, not only in *England*, but in *Scotland*, having got a Warrant from the King to hold Correspondence with the Bishops; and also in *Ireland*, being chosen Chancellor of the University of *Dublin*, and having got Sir *Thomas Wentworth* to be Lieutenant of *Ireland*, who was now as much his intimate Confident as *Noy* was before.

In *England*, the Arch-bishop's Injunctions for wearing the Surplice, receiving the Sacrament kneeling, and placing the Communion-Table Altar-ways, and railing it about, &c. were vehemently prosecuted, with the opprobrious Names of *Puritan* and *Schismatick* fixed upon *Nonconformists*, with Deprivations and Censures upon Lecturers and Chaplains who refused to come up to them; if they did, they must forsake their Patrons, Patronesses and Flocks who provided them Bread, so that they contended *pro Aris & Focis*, and otherways no Provision was made for them. On the contrary, they retorted on the Bishops and promoted Clergy with bitter Terms of Popishly affected, and Rags of *Superstition* and *Idolatry*; so that the Contentions all over the Kingdom were as fierce as in the Universities.

But it had been happy for this Nation, if the Effects of these Contentions had been terminated in the Bounds of it: For the Arch-bishop in his Metropolitan Visitation this Year 1634, summoned the Ministers of the *Dutch* and *French* Churches to appear before his Vicar-General, where all the Natives, viz. born in *England*, were enjoined to repair to their several Parish-Churches to hear Divine Service and Sermons, and perform all Duties and Payments required in that behalf.

The Descendants of those *Walloons* persecuted by *Alva*, and of the *French* by *Henry II.* of *France*, had for near ninety Years been allowed their several Congregations by Queen *Elizabeth*, King *James I.* and had the Royal Word of King *Charles* for enjoying of them: But now at once they must be turn'd out of them.

When these Injunctions were to be put in Execution at *Norwich*, the *Dutch* and *French* Congregations petitioned Dr. *Matthew Wren*, that these Injunctions might not be imposed upon them; but finding no Relief, appealed to the Arch-bishop, who return'd a sharp Answer, that unless they would submit, he would proceed against them according to the Laws and Canons Ecclesiastical.

Here take notice, that as the *Spanish* Trade was the most enriching Trade to this Nation; so the Trade to *Hamburg*, and the Countries and Kingdoms within the *Sound* with our Woollen Manufactures, was the best the *English* had for Employment of People

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Shipping and Navigation : The Company which traded into the *Sound*, was called the *East-Country Company*, and Queen *Elizabeth*, and after her King *James*, to honour them, called it the *Royal Company*.

This Trade the *English* enjoyed time out of mind ; and the Cloths which supplied it, were principally made in *Suffolk* and *Yorkshire* : And *Ipswich* as it was the finest Town in *England*, and had the Noblest Harbour on the *East*, and most convenient for the Trade of the *Northern* and *Eastern* Parts of the World, so till this time it was in as flourishing a State as any other in *England*.

The Bishop of *Norwich* straining these Injunctions to the utmost, frighted thousands of Families out of *Norfolk* and *Suffolk* into *New-England* ; and about 140 Families of the Workers of those Woollen Manufactures, wherewith *Hamburg* and the Countries within the *Sound* were supplied, went into *Holland* ; where the *Dutch*, as wise as Queen *Elizabeth* was in entertaining the *Walloons* persecuted by the Duke of *Alva*, established these *English* Excise-free, and House-Rent free for seven Years ; and from these the *Dutch* became intrusted in working these Manufactures, which before they knew not : The Consequence whereof shall be shewn hereafter.

But the Care of the Arch-bishop for Reformation of the Church of *Scotland*, was not less than for that of *England* ; and to that end got the King to sign a Common-Prayer Book for the Use of the Church of *Scotland* ; and gave order to the Bishops there, to compile certain Canons for the Government of the Church, and there to be imposed by Regal and Episcopal Authority ; and to this end *Laud* held Correspondence with the Arch-bishop of *Saint Andrews*, and other Bishops of *Scotland*.

Whilst these things were brewing in *England* and *Scotland*, you need not fear *Ireland*, now Sir *Thomas Wentworth* was Lieutenant there : a most dreadful War overspread *Germany* ; and *Philip* the 4th, a weak lascivious Prince, reigned in *Spain*, so as *Richieu* had a fair Opportunity to subdue Monsieur the King's Brother, and overthrow the Forces raised by the Duke of *Momerancy*, to assist Monsieur ; wherein the Duke was unhappily taken Prisoner, and had his Head cut off, being a young Prince of greatest Hope, the most antient of the French Nobility, and the last of his Line.

But the Cardinal did not rest here, but built more and better Men of War than had been before in *France*, and *Spain* shall first find the Force of them, in return of their Kindness in joining their Fleet with the *French*, in relieving St. *Martins* in the Isle of *Rhee*, besieged by the *English* : And this Year 1634, *Richieu* trickt *Charles* Duke of *Lorain* out of his Dutchy ; and the next, the

King

King of France proclaims open War against Spain by Sea and Land; and in 1638 (ten Years after the Spaniards joining with the French against the English) the French besieged Fontaraby by Land, which the Spaniards intending to relieve by Sea, the Spanish Fleet is encountered by the French, and beaten; the French took eleven great Ships, whereof six of them were richly laden for the Indies, and burnt two Gallions upon the Stocks, and six others entirely finished: In the Ships taken, besides their Equipage, and other Ammunition of War, the French took an incredible Number of Cannons, 100 whereof were Brass, with the Arms of the House of Austria upon them. Afterward, the French and Spanish Fleet fight in the Mediterranean Sea, where the Spaniard is again beaten by the French; and by Land the French take from the Spaniard Landrecy, Beaumont, and de la Valette in the Spanish Netherlands; Perpignan (the Key of Spain, on the Foot of the Pyrenean Hills) in the County of Roussillon; and Barcelona, a good Port, and the capital City of Catalonia.

In England, this Year 1635, there was great Contrivance between the Arch-bishop Laud, and Bishops of Scotland, how to erect a High Commission Court in Scotland by the King's Authority, without Consent in Parliament, for proceeding against such as would not submit to the Common-Prayer Book, and Canons enjoined by the King, and Bishops of Scotland; and upon the 28th of February, the Arch-bishop consecrated Dr. Manwaring Bishop of St. Davids, a worthy Successor to so Saint-like and pious a Predecessor; for this Bishoprick was Laud's first Preferment.

You have seen his Grace of Canterbury's Temper towards the King's Subjects; now see how it was towards the King. His Grace being as high as England could admit, viz. Metropolitan, and first Peer thereof, would visit both Universities by his Metropolitan Right, and not by Commission from the King, and signified so much to both; to which both answered, *That to admit it without a Warrant from the King, was a Wrong to the Universities*; his Grace was Chancellour of Oxford, and the Earl of Holland of Cambridge. The Cause came to a hearing before the King and Council, the 21st of June, 1634; where the Attorney General Banks was for his Grace against the King, Mr. Gardener, the Recorder of London, for Cambridge, and Serjeant Thyn for Oxford, the Cause was shortly this.

Both sides agreed in this, that both Universities were of the King's Foundation, and so might be visited, as they had often been, by Commission from the King: But this would not do with his Grace, he would, to use his own Words, *visit by his own Right*.

Serjeant

Serjeant *Thyn* urged against this, the King's Foundation of the University of *Oxford*, and that never any Arch-bishop so visited: But the Recorder could not say so of *Cambridg*; which happened upon this Occasion. In the Reign of *Richard* the 2d *Wickliff's* Doctrine prevailed much in both Universities; and *Arundel*, then Arch-bishop of *Canterbury*, (as zealous to suppress the *Wickle-vites*, as *Laud* was the *Puritans*) to suppress them did visit *Jure Metropolitano*; but *Oxford* opposed him *forti Manu*: Upon this *Arundel* appeals to the King, who being a weak Prince, and as zealous for the then Church, as King *Charles* was for *Laud's*, declares the Right to be in the Bishop; so did *Henry* the 4th, the Current running against *Wickliff*, which was after confirmed in Parliament; but *Cambridg* was not in it: Yet never before did any Arch-bishop visit *Oxford*, nor *Cambridg*, since the Year 1404, *Jure Metropolitano*, as his Grace would do; and so the Cause went for the Arch-bishop.

Plum'd thus in his own Feathers, all black and white, without one borrowed from *Cesar*, whereby the more he assumes to himself, the less he leaves the King, he now soars higher; the Bishops of the Province of *Canterbury*, in their own Names, enjoin the Removal of the Communion Table in the Parish-Churches and Universities, from the Body of the Church or Chancel, to the East of the Chancel, and cause Rails to be set about the Table, and refuse to administer the Sacrament to such as shall not come up to the Rails, and receive it kneeling; that the Book of Sports on *Sundays* be read in Churches; and enjoin Adoration.

I do not find that Adoration was ever enjoined before, nor any of the fore-named Injunctions in any Canon of the Church; sure I am, they were never publickly put in Execution: so that whether these were any of the Canons of the Church or not, was not understood by one of 10000; and the Lecturers, Chaplains and School-masters, who had no Maintenance from the Church, being principally struck at by these Injunctions, make all the sinister and worst Constructions they could invent against them; so that though those Injunctions had been founded in the Canons of the Church, yet the contrary was believed, and so had the same Effect as if they had not been founded in the Church-Canons.

Here I cannot omit one Passage; That several were deprived by the Bishop's Authority, for refusing to read the Book of Sports on *Sunday*: Whereas King *James* the 2d allowed the seven Bishops a legal Trial for refusing to enjoin the Clergy to read his Declaration for *Liberty of Conscience*, and the Bishops were acquitted.

That the Legality of these Proceedings might be manifest, a Proclamation was issued out, that it was the Opinion of the Judges, that the Act of the 1 *Edw.* 6. 2. which ordains that Bi-

shops should hold their Ecclesiastical Courts in the King's Name, or by Commission from him, was repealed by the 1st of Queen Mary; though this Act was repealed by the 1 Jac. 25. and so the Act 1 Edw. 6. 2. was revived, and so resolved upon a full Debate in Parliament 7 Jacobi.

The Thunder of those Canons, the terrible and unheard of Execution of them in the *Star-Chamber* against all Opposers, by Speech or Writing, so terrified the Puritans which would not submit, that incredible Numbers of them left the Kingdom, to inhabit in foreign Plantations, especially in *New-England*, where these Ecclesiastical Canons could not well play upon them. But to restrain the further Evasion of them, the King by Proclamation, the 30th of April, 1638, stops all the Ports of England, to keep them in it: The Reason was, no doubt, that they might be better instructed in the Doctrine and Discipline of the Church of England here, than elsewhere.

But Ship-Money, notwithstanding my Lord Keeper Coventry's Charge to the Judges last Year, that in their Circuits they should give Charge how justly the King required Ship-Money for the common Defence, and with what Alacrity and Chearfulness they (the Subjects) are bound in Duty to contribute; yet this did not pass for true Doctrine with all; for Mr. Hambden upon Advice with Holborn, St. John, and Whitlock, denied the Payment, whereupon several other Gentlemen refused also.

Hereupon the King was advised by the Lord Chief Justice Finch to require the Opinion of his Judges, which he did in a Letter to them; and after much Solicitation by the Chief Justice, promising Preferment to some, and highly threatening others whom he found doubting, he got from them in Answer to the King's Letter and Case, their Opinion in these Words.

We are of Opinion, that when the Good and Safety of the Kingdom in general is concerned, and the whole Kingdom in danger, you may by your Writ under the Great Seal of England, command all your Subjects of this your Kingdom, at their Charge, to provide and furnish such number of Ships, with Men, Victuals and Ammunition, and for such time as your Majesty shall think fit, for the Defence and Safe-guard of the Kingdom from Peril and Danger. And that your Majesty may compel the doing thereof in case of Refusal or Refractoriness. And we are also of Opinion, that in such Case your Majesty is sole Judge, both of the Danger, and when, and how the same is to be prevented and avoided.

This Opinion was signed by Davenport, Denham, Hutton, Croke, Trevor, Bramston, Finch, Vernon, Berkly, Crawley, and Weston. See Whitlock's Memoirs, f. 24.

The King having previously extorted the Judges Opinions ex parte, gave order for the Proceedings against Mr. Hambden in the Exche-

Exchequer, where he pleaded; and the King's Counsel demurring, the Point in Law came to be argued on both sides. Mr. *Whitlock* has a remarkable Passage of *Judg Croke*, concerning his Opinion in the Case, of which he speaks knowingly, viz. that the *Judg* was resolved to give his Judgment for the King, and to that end had prepared his Argument; yet a few Days before he was to argue, upon some Discourse with some of his nearest Relations, and most serious Thoughts of the Business, and being heartned thereto by his Lady, who was a good and pious Woman, told her Husband upon this Occasion, *That she hoped he would do nothing against his Conscience, for fear of any Danger or Prejudice to him or his Family; and that she was content to suffer Want, or any Misery with him, rather than be an Occasion for him to do or say any thing against his Conscience or Judgment.*

Upon these and many the like Incouragements, but chiefly upon better thoughts, he suddenly altered his Purpose and Arguments, and when it came to his turn, contrary to Expectation, he argued and declared his Opinion against the King; and so did *Judg Hutton* after; however the rest of the Judges gave their Opinions against Mr. *Hambden*.

However the King this Year, to sweeten the Judges Opinion for levying Ship-Money, set out a Navy of sixty Men of War to disturb the Dutch Fishing on the Coasts of *England* and *Scotland*, under the Command of the Earl of *Northumberland*, who seized and sunk several of the Dutch Busses; whereupon they sued to the King for leave to fish, promising to pay an Acknowledgment of 30000 *l.* per Annum. But this ill agreed with the King's Reason for levying Ship-Money, which was, that Pirats infested our Coasts to the indangering the Safety of the Nation. See *William de Britaine*, f. 16, 17.

But if the Dutch were thus bold upon our Coasts, by the Liberty granted them by *Hugo Grotius*, they were much bolder in the *East-Indies*, where they stile themselves Sovereigns of all the Seas in the World; for Anno 1620, they seized upon two Ships of the English called the *Bear* and the *Star*, in the Straits of *Mallaca*, going to *China*, and confiscated Ships and Goods valued at 150000 *l.* I suppose *Grotius* could not give a like Instance of any Dutch Ships so used for passing through the Channel; and last Year, viz. 1635, an English Ship called the *Bona Esperanza* going towards *China* by the Straits of *Mallaca*, was violently assaulted by three Dutch Men of War, the Master and many of the Men killed, and the Ship brought into *Mallaca*, and there the Ship and Goods were confiscate valued at 150000 *l.* and this very Year the *Dragon* and *Katherine* two English Ships of Sir *William Courten*, valued at 300000 *l.* besides the Commanders and others, who had great Estates in them, were set upon by seven Dutch Men of War, as

they past the Straits of *Mallaca* from *China*, and by them taken, the Men tied back to back, and thrown over-board, the Goods taken out of the Ships, which were sunk, and seized for the State.

The State and Church of *England* thus established in Doctrine and Discipline, the Arch-bishop's next Care was, to have the same in *Scotland*; and herein he was so absolute, that the King told the Marquess *Hamilton*, when he was his Commissioner in *Scotland*, that the Arch-bishop was the only *English-man* he entrusted in the Ecclesiastical Affairs in *Scotland*: and no Care need be had of the Church of *Ireland*, since my Lord Viscount *Wentworth* was Lieutenant there, who, to all Intents, pursued the Arch-bishop's Instructions. Here let's see how the Church stood in *Scotland*, before the Arch-bishop undertook to reform it.

James the 5th of *Scotland* died the 13th of December, 1542, leaving only one Daughter, *Mary*, but five Days old, by *Mary* of *Lorain* his Wife, Sister to *Francis* Duke of *Guise*, and *Charles* Cardinal of *Lorain*, two the most powerful Princes in *France*, after King *Henry* the 2d, and the most zealously addicted to the *Papish Religion*.

After the King's Death, Cardinal *Beaton* got a Priest (*Henry Balfour*) to forge the King's Will, whereby the Cardinal, the Earls of *Huntley*, *Argile* and *Murray*, were to have the Government during the Queen's Minority; but the Nobility not believing it, chose the Earl of *Arran* Governour; and *Henry*, the King of *England*, desiring to unite the Kingdoms, by marrying his Son *Edward* with the Infant-Queen, sent a solemn Embassy to the Governour and Council of *Scotland*, to consent to this Marriage, which was done, only the Queen Dowager, and the Cardinal dissenting; and this was confirm'd by the Parliament convened at *Edinburgh* the 13th of *March* following: Yet the Queen-Mother and Cardinal got the Queen to be married to *Francis* the Dauphin, Son of *Henry* the 2d of *France*.

In this Parliament the *Scots* were permitted to read the Scripture in the *English* Tongue, till the Prelates should publish one more correct. But in the Year 1559, the *Scots* began their Reformation in Religion at *Perth*: the intervening Accidents of the *Scots* Endeavours to reform, and the Opposition by the Regent, the Cardinal, and the Prelates, you may read in Bishop *Spotswood's* History of the Church of *Scotland*, and Sir *James Melvil's* Memoirs.

To suppress the Progress of this Reformation, the Queen-Mother, who was Regent, calls in an Army and Navy of *French* to oppose them: The Reformers call in an Army and Navy of *English*; the *English* Fleet fire the *French* Ships in their Harbour, and compel the *French* to leave *Scotland*; and in 1560, the Queen Regent died, leaving *Scotland* in a kind of *Interregnum*.

In *August* following, a Parliament convened at *Edinburgh* by a Warrant from the King and Queen, wherein the *Maß* and *Poperý* were suppressed, and the Reformation of the Kirk of *Scotland* in Doctrine and Discipline established; but the King and Queen, now of *France* as well as *Scotland*, refused to confirm either; nor was this Kirk-Doctrine and Discipline confirmed till the Queen was deposed, and *Murray* made Regent in 1567.

The Reformation was purely after the Mode of *Calvin*, and Church of *Geneva*; a *Common-Prayer* was ordained, not strictly to be observed, but as a Pattern of Prayer: In it were ordained four sorts of Assemblies, viz. National, Provincial, Weekly Meetings of Ministers, and the Elderhip of every Parish.

Superintendents were likewise established, whose Office was to visit the Kirk within limited Places; these had Power to cite and deprive Ministers, but must be assisted by some grave Ministers next adjoining, as also to ordain Ministers.

But the Hierarchy of the Church of *Scotland*, as they were esteemed one of the States in Parliament, was not then, nor after taken away by Parliament, nor their Power of Ordination and Visiting within their Diocesses; yet in Visitation and Ordination the Superintendents had a concurring Power with the Bishops, and the Bishops were subject to be cited and proceeded against for Scandal, neglect of their Office, Symony, &c. by the General Assemblies.

This Reformation, viz. 1581, was subscribed by King *James* and all the Household, and afterward King *Charles* in 1633, being crowned at *Edinburgh*, where the Form ordained by the King was observed, and the King swore to observe the Reformation as it then stood: But some Alterations were made by King *James* in 1610, and by the five Articles of *Perth*, in favour of the Bishops, and more conformable to the Church of *England*.

King *James*, who loved the *Presbyterians* in *Scotland* no better than the *Puritans* in *England*, Anno 1610, called a General Assembly at *Glasgow*, wherein these Conclusions were enacted.

1. That the Indictions of General Assemblies belong to the King by the Prerogative of his Crown.
2. That Synods be kept twice in the Year, to be moderated by the Arch-bishop and Bishop of the Diocess.
3. That no Excommunication or Absolution be pronounced without the Knowledge and Approbation of the Bishop of the Diocess.
4. That the Presentation of Benefices for the time to come by Death or Lapses be directed to the Arch-bishop or Bishop of the Diocess.
5. That in Deposition of the Ministers, the Bishop do associate himself with some of the Ministers within the Diocess.

6. That every Minister at his Admission do swear Obedience to his Majesty and his Ordinary.

7. That the Visitation of the Dioceſs be made by the Biſhop himſelf; but if the Dioceſs be too great, by ſuch a worthy Miniſter of the Dioceſs as the Biſhop ſhall appoint.

8. That no Convention of Miniſters be moderated by the Biſhop, or a Miniſter named by him: No Miniſter to ſpeak againſt any of theſe Concluſions.

This Year alſo King *James*, not well pleaſed with Presbyterian Ordination, cauſed the Arch-biſhop of *Glaſcow*, the Biſhops of *Brichen* and *Galloway*, to be re-ordained in *England* by the Biſhops of *London*, *Ely* and *Bath*; and alſo erected a High Commiſſion in *Scotland* for ordering Eccleſiaſtical Affairs, which you may read in *Spotswood's* Hiſtory of the Church: and all theſe were ratified by the Parliament holden at *Edinburgh*, 1612.

But King *James* did not ſtay here, but propounded to have theſe five Articles to be paſſed the General Aſſembly in *Scotland*.

1. That the Sacrament be received Kneeling.

2. That the Sacrament be not denied Dying Perſons deſiring the ſame.

3. That Baptiſm be not deſerred longer than till next Sunday after Birth, unleſs there be reaſonable Cauſe to the contrary.

4. That appoſite Sermons be made upon the days of *Chriſt's* Birth, Paſſion, Reſurrection, Aſcenſion, and ſending the Holy Ghoſt.

5. That the Miniſter in every Pariſh catechize Children, ſo as to be qualified to be confirmed by the Biſhop in his Viſitation.

Theſe five Articles with ſome Difficulties paſſed the General Aſſembly at *Perth*, 1618, which were agreed to by a Parliament convened at *Edinburg*, 1621.

Thus the Church ſtood in *Scotland* when the Arch-biſhop *Land* would make it conformable in all Points to that he was now eſta- bliſhing in *England*. The firſt Step he moved herein, was by preferring the Biſhops in *Scotland* in almoſt all Preferments before the Nobility; ſo that of thirteen, nine were Privy-Counſellors, and *Spotswood*, Arch-biſhop of *St. Andrews*, was Chancellor, and others were of the Exchequer; and *Maxwell*, Biſhop of *Roſs*, con- tended with the Earl of *Traquair* to be Lord-Treaſurer; and were Sticklers to have Tithes, and Impropriations, and the Abbots Lands to be reſtored to the Church; and the Weekly Meetings of the Miniſters are termed Conventicles by the Biſhops. Tho the Do- ctrine of the Church of *Scotland* were Calviniſm, yet all Countre- nance and Encouragement by the Biſhops were given to the Pro- feſſors of the *Arminian* Tenets: So that the Brawls and Conten- tions

tions about them were as high in the University of *St. Andrews*, as in *Cambridge* and *Oxford*.

There had not been one General Assembly since that of *Perth* 1618, when in 1637 the Common-Prayer, Canons, and High-Commission were imposed by the King's and Bishop's Authority; and besides the High-Commission, the Bishops had Warrants from the King, to grant Commissions in their several Diocesses, to name Assessors, Ministers and Gentlemen, which might punish Offenders. And tho the Common-Prayer, *mutatis mutandis*, was the same with the *English*, yet in the Administration of the Sacrament the Form was the same in the Mass, without the Exhortations in the *English* Common-Prayer.

The first Trial how passable they would be was upon *Easter-day*, the Service was read at *Edinburgh*, when no Tumult followed; but when it was next read, the 23^d of *July* following, all the City was in an Uproar, and the next day the Lords of the Council issued out a Proclamation to discharge the Tumults of the People upon pain of Death; yet divers Ministers at *Edinburgh* opposed the reading of the Common-Prayer, and petitioned the Council against it.

Harvest coming on, all things seemed quiet, but at the end of it *Edinburgh* swelled with all sorts of People: the Council fearing whereto this Concourse would tend, by three Proclamations commanded all sorts of People (not Inhabitants, or not having Business) to depart upon Penalty of Horning and Rebellion: Instead of Obedience, the Women and Children petition the Council against the Common-Prayer-Book, and soon after the Noblemen, Barons, Ministers, Burgesses and Commons; which were sent to the King, who commanded the Privy-Council to signify his Majesty's Averseness to Popery and Superstition. In this Confusion the Earl of *Traquair* Treasurer, and *Roxborough* Privy-Seal, go to the King for Instructions how to proceed; their Instructions were to remove the Session or Term to *Sterling*, and by Proclamation to forbid all Persons coming to *Sterling*, unless they declare the cause to the Council, and procure a Warrant for the same upon Penalty of High-Treason.

This Proclamation was encountred by a Protestation of Noblemen, Barons, Ministers and Burgers at *Edinburgh*, against the Roman Idolatry and Superstition, the Common-Prayer-Book, Canons and High-Commission: And they enter into a solemn Covenant to maintain the Confession of Faith, subscribed by the King's Father and his Household, 1580, and after by all Ranks of People, 1581, to which they swear a mutual Defence of one another against all Opposers; and to this purpose they erected Tables or Persons to take Subscriptions of all sorts of People.

Traquair could not stem the Tide, and so acquainted the King herewith, who sends the Marquess *Hamilton* his Commissioner, with Instructions one way or other to compose these Disorders. When he came into *Scotland*, he first demanded of the Covenanters what they required of the King for accommodating their Grievances. Secondly, What might be expected from them for returning to their former Obedience, especially renouncing their Covenant. But nothing would content them but a General Assembly and free Parliament: they forbid him the use of the Common-Prayer in the King's Chappel, and admonish him and the Council to subscribe their Covenant. These Proceedings running so high, the Marquess durst not pursue his Instructions, being sure they would be affronted.

The Marquess gives the King an account of these things, and desires further Instructions, *which were to gain time till the King could get a Fleet and an Army in readiness to compel the Covenanters to Obedience, but not to consent to the calling of a Parliament or General Assembly till the Covenant be given up; that now his Crown and Reputation for ever lies at stake; that he had rather suffer the first, which time would help, than the last, which is irreparable; that the Explanation of the damnable Covenant makes him to have no more Power than a Duke of Venice, which he will rather die than submit to:* Yet without dying he did submit to the Revocation of the Service-Book, Canons, High-Commission, and the Articles of Perth, forsakes the Bishops, and by a Proclamation, Sept. 22, 1638, commands the Covenant to be subscribed by the Privy-Council and all his *Scottish* Subjects; but this would not content the Covenanters, because it came not from a General Assembly, and because the Band of mutual Defence was not in the Proclamation.

Having gone thus far, there was no going back, and the King's Army and Navy was not yet ready, the King therefore indicts a General Assembly to be held the 21st of November 1638, at *Glasgow*, and a Parliament to meet at *Edinburgh* the 15th of May following.

The General Assembly met accordingly, but the Marquess and the Assembly were at Variance about the Elections and Votes of the Lay-Elders, and the Bishops sitting in the Assembly, and the Votes of the King's Assessors in it: But what the Marquess would have, the Covenanters would not, whereupon the Marquess on the 28th dissolves the Assembly upon Penalty of High-Treason.

The Covenanters and General Assembly protest against this Dissolution, and sit notwithstanding, yet profess all Duty and Obedience to the King in its due Line and Course, which in plain *English* is, *They'll do what they will; and if the King will do what they would have him, they will be obedient Subjects.* And in this Session they depose and excommunicate all the Bishops of *Scotland*. To this

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State within less than two Years has his Grace of *Canterbury* brought the Church of *Scotland*, and a terrible Cloud hangs over that of *England*, whereby his Grace will have the Glory of becoming a *Martyr* in it.

Wesjon Earl of *Portland* died in the Year 1634, and Dr. *Juxton*, Bishop of *London*, was made Lord-Treasurer, by whose prudent Management it's said, that in less than five Years he had lodged 900000 *l.* in the Exchequer; and now the King had raised an Army of about 20000 Horse and Foot, made the Earl of *Arundel* General, Lord Viscount *Wentworth* Lieutenant-General, and Earl of *Holland* General of the Horse; and had fitted up a Navy, with 5000 Land-Men commanded by Marquess *Hamilton*, to compel the *Scots* to their Obedience, and marches at the Head of this Army himself.

It was time, for the *Scots* were up in Arms too, had seized the *Regalia* at *Dalkeith*, and brought them to *Edinburgh*, taken *Dumbar-ton*, and routed the *Scots* who took the King's part at *Aberdeen*, which they likewise took.

This King's good Nature never more appeared than in his Necessities; so that when he came to *York*, by Proclamation he recall'd 31 Monopolies and Patents formerly granted by him, he not before understanding how grievous they were to his Subjects.

The *Scots*, that the *English* might have no Jealousy of an Invasion, had resolved not to come within ten Miles of the Borders with their Army. When the King came to *Berwick*, the Earl of *Holland* made two vain and inconsiderate IncurSIONS into *Scotland*, and upon the Approach of the *Scots* retreated; and these were the only Actions of this War by the *English*.

Upon the Retreat of the Earl the *English* Army was contemned by the *Scots*, who advanced to the Borders, and pitched their Tents in sight of the *English*, before any notice was given of their Motion: this raised a Murmur all over the *English* Army, where Provisions were not only scant, but their Bread and Biscake mouldy, nor was there any prospect of a further Supply.

However the *Scots* propose a Treaty of Accommodation, which the King's Necessities compell'd him to submit to, which being made (the Terms you may read in *Rushworth's* and *Franklin's* Collections) the King disbands his Army, and withdraws his Navy; this was all the *Scots* cared for; for the Treaty being upon equivocal Terms, the *Scots* were resolved to make their own Interpretation, and stand by it, and to that purpose hold Correspondence with the *French* King, and stile him *Au Roy*, and also with the discontented in *England*, and buy Arms and Ammunition at *Bremen* and *Hamburg*.

To foment these Jealousies, and propagate the Popish Interest, Cardinal *Richlieu* employs one *Chamboy*, or *Chamberlain* in *Scotland*,

Land, and *Cm*, or *Cuneus*, his own Chaplain in *England*, whose chief Confidants were the Earl of *Arundel*, General of the King's Army, and his Countess, Sir *Francis Windebank* Principal Secretary of State, Sir *Toby Mathews*, *Endymion Porter*, *English*, and one *Read* and *Maxwel*, *Scots*. See this at large in *Rushworth's Collections*, fol. 1318, 1319, 1320, 1321, to 1326.

This Year my Lord-keeper *Coventry* died, and Sir *John Finch*, Chief-Justice of the *Common-Pleas*, was made Lord-keeper of the Great Seal, no doubt for promoting the Legality of *Ship-money*, and enlarging the Bounds of the Forests.

The Cloud rising so thick in the *North*, presaged a Storm, which to dissipate, the King summons a Parliament to meet the 23d of *April*, 1640. the Arch-bishop and the Earl of *Strafford* giving out, according to the Advice which Sir *Robert Cotton* gave the Duke of *Backingham*, that they were the first Movers of it.

At the opening of this Parliament, the King lays before them his Necessities for Money in the first place, as he had done in all the three Parliaments before, and that Delay was all one with a Denial, and communicates to them the *Covenanters* Letter to the *French King*, imploring his Assistance: But the House of Commons having found the Effects of giving Money before Grievances were redrest, both in the 18th of his Father's Reign, and in the first of his, began at Grievances, now multiplied by the Additions of *Ship-Money*, breaking the Bounds of the Forests, and Monopolies multiplied without end, the Arbitrary Power of the *Star-Chamber* and *High-Commission* against those who opposed the Proceedings of the Innovations brought into the Church, and the Imprisonment, and unheard-of Censures of their Members for their Proceedings in the House last Parliament; so that instead of enjoying any Benefit by the *Petition of Right*, the Church and State was in a manifold worse State than before: they had now found by Experience, that no Laws or Judgments in Parliament could bind the King's Prerogative, but that he would act quite contrary, as in the Cases of *Mountague* and *Manwaring*, &c. and how could the Parliament rely upon his *Royal Word* (which he would upon all occasions give) when they found no Assurance in any Law, nor so many Declarations of his observing them?

However, the Commons upon the 2d of *May* resolved to take care of supplying the King upon the 4th, when Sir *Henry Vane* told them, that the King of his Grace and Favour upon their granting 12 Subsidies to be paid in three Years, would forbear levying *Ship-Money*, and abolish it; and for their Grievances, they should rely upon his *Royal Promise*, and give as much time now as may be, and after at *Michaelmas* next; and that the King expected a positive Answer.

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Hereupon the House was turned into a grand Committee, and spent the whole Day upon the Message, but came to no Resolution, and desired Sir *Henry Vane* to acquaint the King, that the House would next day proceed upon the King's Supply: But next Morning early, Secretary *Windebank* (in actual Correspondence and Conspiracy with *Cunaw*, *Richlieu's* Chaplain, for subverting our Religion, and introducing Popery) commanded the Speaker to *Whitehall*, and the same Day the King dissolved the Parliament, and the next Day the Lord *Brook's* Study, Cabinet, and Pockets, were searched for Papers, and Mr. *Bellasis* and Sir *John Hotham* were convened before the Council, to answer concerning Passages in Parliament; and giving no satisfactory Answer, were committed Prisoners to the *Fleet*, till further Order from the King and Council; and Mr. *Crew* was committed close Prisoner to the *Tower*, till further Order from the Council; and no Cause shewed in either of these Warrants.

The greatest Objection against Hereditary Monarchy is, that Princes Ears are always open to Minions, Flatterers, and Sycophants, whereby they rarely understand the state of their own Affairs, or of their Subjects: To attemper this, the Wisdom of our Constitution ordains, That Parliaments be frequently held, to represent to the King the state of the Nation, and so to inform him of Grievances, that they may be redressed. And so inviolably has this mutual Correspondence between the King and Parliament been observed in all Ages, that I do not believe any King or Queen of *England*, and of the *English* Race since *Henry 3.* ever dissolved one Parliament in Displeasure, before King *James*; whereas of eight Parliaments, these two Kings, of the *Scottish* Race, dissolved seven in Displeasure. Yet never did Parliaments, in any Reign, demean themselves more chearfully to any King than to these two: and I challenge any one to shew, that in any one respect they intrenched upon any just Prerogative of either of these Kings, or did any Act not warranted by former Precedents.

It's true, Queen *Elizabeth* would not endure to have the Parliament to meddle with the state of the Church as 'twas established, nor hear of declaring a Successor; and when either of these were moved contrary to her express Order, she would commit the Members, but easily dismiss them; otherwise, I believe in no Age any Member of Parliament was ever committed or censured by any King of *England* before King *James*, for debating or reasoning of the state of the Nation or Church.

In the 20th of *Edward 3.* *John of Gaunt*, the King's Son, the Lords *Latimer* and *Nevil*, were accused in Parliament for misadvising the King, and were sent to the *Tower* for it; and *Henry 4. Rot. Parl. 5.* upon the Complaint of the Commons against four of his Servants and Counsellors, that they might be removed, declared

red openly, That tho he knew nothing against them in particular, yet he was assured that what the Lords and Commons required of him, was for the Good of himself and Kingdom; and therefore he banish'd them, and at the same time declared he would do so by any other who should be near his Royal Person, if they were so unhappy as to fall under the Hatred of his People.

Whereas this King, tho the Duke of *Buckingham* were accused of more Crimes in Parliament, than is recorded of *Pierce Gaveston*, and the *Spencers* in *Edw. 2d's* time, and of the Duke of *Ireland*, *Tresilian*, and *Belknap*, in *Rich. 2d's* time, and of the Death of this King's Father to boot; yet rather than the Duke shall be brought to Trial, the King dissolves the second Parliament of his Reign: And in his Declaration for dissolving the three Parliaments, calls the questioning his Ministers an Invasion upon his Prerogative, and that through them they endeavoured to wound their Sovereign's Honour and Government.

Since the Statute *De Tallagio non Concedendo*, in the Reign of *Edward the I*, I think no mention has been made that ever any King of *England* taxed the Subject before this King and his Father, except *Edward the IV* by Benevolence, for which his Memory is bitterly stained in the Parliament-Roll of the second Chapter of *Richard the III*, tho it be not in the printed Statutes; and by a *Loan* demanded in the Reign of *Henry the VIII* by *Cardinal Wolsey*, the raising of which had near raised a Rebellion; which when it came to the King's Ear, he laid the Blame upon the Cardinal, and said, he would not rend his Subjects from the Law, and forbid further proceeding in it.

Arch-bishop *Abbot* excepts against his Licensing *Syrbthorp's* Sermons, for that the King's taxing Loans by his own Authority, was neither by the Laws nor Customs of *England*: the King in his Answer says, *He did not stand upon the Laws and Customs of England, for he had a Precedent for it, and would insist upon it.* The Arch-bishop replied, *He thought it was a Mistake, and feared there was no such Precedent; and that Henry the VIII desired but the sixth part of Mens Estates, but the King required the full six Parts, so much as the Men are set at in the Subsidy-Book.* And when the Commons in the third Year of his Reign made a Remonstrance against the King's taking Tunnage and Poundage, not granted by Parliament, the King calls this a detracting from their Sovereign, and commands all who have or shall have any Copies of it, to burn them upon Pain of his Indignation and high Displeasure.

The King for Causes of dissolving this Parliament, (the last he shall ever dissolve) begins with the usual Stile, That he well knows, that the Calling, Adjourning, Proroguing and Dissolving Parliaments are undoubted Prerogatives inseparably annexed to his Imperial Crown; of which he is not bound to give any Account, but

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to God alone, no more than of his other Regal Actions. But *quid gloriaris*? Did ever any King of England say this before his Father and himself? Or in what common-Law, or Acts of Parliament is this to be found? Or if he had such Power, Why does the King so often boast of it? Sure it had been better done by another than himself. Is this a time of day, when this Prince had lost all his Honour abroad, to magnify himself that he has Power to dissolve Parliaments at home, and thereby obstruct those Ways by which he might unite himself to his Subjects, and then glory that he is only accountable to God for all his Actions? *Nebuchadnezzar's* Boast, *Is not this the Babel which I have built?* was but a Bauble to this. He said this but once, and God sent him seven Years among Wild Beasts; and he saw his Pride, and he repented: This King upon all Occasions makes his Boasts; but I do not find he ever repented of any of them.

But admit the King had this Power, and also that the Opening, Adjourning and Proroguing Terms, and granting Commissions of Oyer and Terminer, and times of their Sitting and Continuance for Executing Justice, be Prerogatives inseparable to the Imperial Crown, of which he is accountable to God only: Yet if he shall not open the Terms, or grant Commissions of Oyer and Terminer; or if he does refuse to have Justice done between himself and Subjects, or between his Subjects, but instead thereof prorogue or adjourn Terms, and withcall his Commissions of Oyer and Terminer, and declare to Him only belongs the Power of opening the Terms, and of granting Commissions of Oyer and Terminer, and that he is only accountable to God for all his Actions; would not this be a Failure of Justice? and can any Man believe that he would be God's Vicegerent herein for the Good and Benefit of his Subjects?

The Act of the 25 of Edward the III determines what Treasons are cognizable by the King's Judges, but the other Treasons at Common-Law are only determinable in Parliament; and one of the chiefest Ends in calling Parliaments, is when the Judges themselves, or Ministers of State becoming corrupt, and too great for the ordinary Courts of Justice, they may be punished in Parliament: it is therefore greater Injustice, and infinitely more dangerous to the King and Subjects, to deny the Nation this Right, than to deny Justice to particular Subjects.

The King is Head of the Common-wealth, and the Laws and Constitutions of the Nation unite them into one Body; which if they cease, there is neither King nor Common-wealth; and by the 4 Edw. 3. c. 4. Parliaments shall be holden every Year; and by 36 Edw. 3. c. 10. Parliaments shall be holden once a Year, and oftner, if need be, that Grievances and Mischiefs be redrest: How then does it become the King to glory, that the Calling,

ling, Adjourning, Proroguing and Dissolving Parliaments are undoubted Prerogatives, inseparably annexed to the Imperial Crown; which in plain *English* is to say, *It is a Prerogative inseparable to the Imperial Crown, to rend himself from his Subjects, and to make himself neither King, nor the Nation his Subjects.*

But if the King be accountable only to God for his Actions, how comes it that he so often appeals to the People by these Declarations against their Representatives, or rather against the People and their Representatives, to his own Minions and Flatterers; which are worse than any other Rebels and Traitors? for these appear barefac'd what they are, whereas those steal away the Love and Obedience of his Subjects, and provoke them either to be Rebels and Traitors, or careless to assist him against such as are: And this was the Case of *Edward the 2d* and *Richard the 2d*; and now it comes fast upon this unhappy King, for so hereafter he will ever be.

In *September* this Year the *Dutch* fell upon a Fleet of the *Spaniards* in the *Downs* so furiously, as, being 53 in Number, made them cut their Cables, and run 23 of them on Shoar, whereof 3 were burnt, 2 perished on the Shoar; the Remainder of the other 23 were deserted by the *Spaniards*, and mann'd by the *English* to save them from the *Dutch*, the other 30 put to Sea, of which only 10 escaped: Yet the King, however he gloried in being stiled *Sovereign of the British Seas*, took no Care to vindicate this against the *Dutch*, to whom he was now become as contemptible as to his *Scotish* Subjects. Now let's see how things stood in *Scotland*.

After the Pacification between the *English* and *Scots*, yet full of Jealousy on either Part, the King sent for 14 of the principal Covenanters to come to him at *Berwick*, which the *Scots* refused, and only sent *Montrose*, *Lowden*, and *Lowthian*; these three Lords seem'd much mollified by what the King had granted, and promised all Obedience to the King.

The King urg'd *Hamilton* to be his Commissioner, which he refusing, he made *Traquair*, but tied him up to close Instructions, and in *August* he indicts a General Assembly: the Bishops protest against it; and the Covenanters supplicate the Commissioners and Council, that Episcopacy be declared unlawful, and the Covenant subscribed by all the *Scotish* Nation; which the Commissioners verbally consented to.

Here you must understand, that the Covenanters make the *King* a distinct Table or Body from the Civil, of which *Christ Jesus* is the only Head; and that the Parliament is obliged to pass all the Acts of a General Assembly: so that though by many Acts of Parliament, the Bishops Sitting and Voting in Parliament is ordained and confirmed; yet the voting Episcopacy to be unlawful, hath

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hath rescinded all those Acts of Parliament: for *Sublata Causa, tollitur et effectus*.

Upon the 30th of October in 1639, the Parliament met; but upon the Difference between the Houses and the Earl of Traquair, about naming Lords of the Articles, the Earl prorogues them to the 14th of November, which the Parliament protest against, and declare all Proceedings in Parliament to be as valid, as if no Prorogation had been.

The Parliament hereupon appoint a Committee to represent this to the King, and in the mean time to expect the King's Answer, and make the Earl of Dunfermling and the Lord Lowden their Deputies to do it, who coming without Warrant from the Earl of Traquair, were commanded back again without Audience.

Then the King commands the Commissioner Traquair to prorogue the Parliament to the second of June in 1640, and that Traquair should come and give an account of the Matters proposed in Parliament; and Traquair having gotten one of the Letters which the Covenanters had sent to the French King for his Protection and Assistance of the Covenanters, subscribed by Rorhes, Montross, Lesley, Mountgomey, Lowden and Forester, brings this with him, and delivers it to the King, for which the Scots would never forgive the Earl, but ever after deemed him an incendiary.

This yet being unknown to the Covenanters, they petition the King to permit them to send some of their Members to vindicate their Proceedings; which the King did, and they sent the Earl of Dunfermling and Lowden again. The King when they came to London claps Lowden close Prisoner in the Tower, and expected that this Confederacy between the Scots and French, would be a means to procure the Parliament to assist him more powerfully against the Scots: but the King having dissolved the Parliament, he as suddenly dismiss him as before he had committed him, which did the King no good.

This unhappy King would as easily be excited to give harsh Language as be put upon sudden Actions, and as soon leave them, and often proceed quite contrary: And now the King taxes the Scots Proceedings to be Traiterous and Rebellious, and causes a Paper published by the Scots after the Pacification to be burnt by the Hand of the common Hangman; but the Scots insisted their Proceedings to be according to the Covenant, which they could not start from, and that therein they were the King's most Dutiful Subjects.

Things could not long stay here, but upon the 20th of August in 1640, the Scots enter England with an Army of about 22000 Men, commanded by General Lesley, to deliver a Petition for Reformation of Religion and State, and to justify their Proceedings,
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and begin as the King did at the opening of all his Parliaments, with the Necessity of their Proceedings.

The King the same day the *Scots* entred *England*, posts to *Tork*, having made the Earl of *Northumberland* General of his Army, the Earl of *Strafford* Lieutenant-General, and my Lord Marshal, the Earl of *Arundel*, General of his Forces on the South-side of *Trent*.

When the King came to *Tork*, his first Care was to stop the *Scots* from passing the River *Tine*, and commanded the Lord *Conway* and Sir *Jacob Astly* to oppose them; but the *Scots* having the advantage of the Ground, and sixfold more in number than the *English*, force their Passage at *Newborn*, about five Miles from *Newcastle* to the West, and take *Newcastle*, and after *Durham*, and tax the Counties of *Northumberland* and *Durham* at 850 *l.* a day, but the Rents of the *Papists* and the Church of *Durham* they take over and above.

The King instead of fighting the *Scots*, is encountred with Complaints from the Inhabitants of *Yorkshire*, *Durham* and *Northumberland*, of the Miseries of their Condition; then with Petitions from many of the Nobility, the City of *London*, and other Places, for a free Parliament: upon this the King assembles a great Council of the Nobility to advise what to do.

Now things are brought to the Point *Richlieu* had designed them: The King in these two Expeditions had spent all the 900000 *l.* he before had lodged in his Exchequer, and now had two Armies to maintain in the Bowels of his Kingdom, when he not only had no means to pay either, but also without doubt the *Scottish* Army were Pensioners to *France*.

The Lords advise a Truce, which is accepted, and all agreed, but how to pay the Armies till a Parliament meet, was a Question: the *Scots* coming for all the *English* Mens Gudes, demand but 40000 *l.* per *Mensem*, but, like their Country Pedlars, fall to 25000 *l.* which is agreed; which, with the Charge of the *English* Army, would amount to 60000 *l.* per *Mensem*, to save the Country from Free-quarter.

In this Treaty the King named the Earl of *Traquair* to be assistant to the *English* Peers; but the *Scots* excepted against him as an Incendiary, and one to be brought to Punishment; the King submits, and leaves him out. But how to provide Money to pay both Armies till the meeting of the Parliament, which was to meet the third of *November*, is the Question: The King had not Credit, it could not be had but from the City of *London*, which was upon ill Terms with the King; for Alderman *Atkins*, Sir *Nicholas Ranton*, and Alderman *Geere*, were by Order of the Council, in Prisons in *London*, and the Attorney-General had Orders to draw an Information against them in the Star-Chamber, for refusing to

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return the Names of such as were able to lend upon a Loan of 200000 *l.* demanded by the King.

The Lords therefore of the Great Council write to the City of London, signifying the King's gracious Resolution of calling a Parliament, wherein he promised all Grievances to be redrest, the Miseries of the Country, if the Armies were not paid; and not less than 200000 *l.* could prevent them, and the Lords would give their Bonds for the City's Security; whereupon the City lent the Money, and then the Treaty was adjourned from Rippon to London. But that we may better see how things stood at the opening of the Parliament, let us look back a little.

After the King had dissolved the Parliament, *May* the 5th, he left the Convocation sitting, who frame an Oath, wherein they swear never to consent to alter the Government of the Church by Arch-bishops, Bishops, Deans and Arch-deacons, &c. as it stands now established, and as by right it ought to stand (which was interpreted to be *Jure Divino*.) They also made sixteen Canons, and Goodman Bishop of Gloucester, for refusing to subscribe the Oath and Canons, was suspended: Being encouraged by Mountague, Bishop of Norwich, and Laud's Creature, who, Goodman said, had in his Person visited, and held Correspondence with the Pope's Nuncio, and received his Letters in behalf of his Son, who was then travelling to Rome, and by his Letters had extraordinary Entertainment there.

Nor did the Convocation stay here, but granted the King a Benevolence of six Subsidies to be paid in six Years, the Refusers to be suspended and excommunicated: To such an Extremity did the Clergy push things in this techy and disorderly time. But any Man may easily guess the Spring which set all these Wheels in motion. And it is observable, that the Clergy, who now taxed their fellow Subjects without Consent of the Commons, shall ever hereafter be taxed by the Commons, without the Consent of the Clergy.

CHAP. III.

A Continuation of this Reign to the Death of the King.

UPON the third of November the Parliament met, and the Nation, which for above fifteen Years had been ridden by a more than French Government, now look upon the Parliament (I mean the Houses) to become their Redeemers; and by how
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much more Honour the Nation gives them, so much less they leave to the King: And here again you may see the unhappy Fate of Princes, who treat their Subjects as Enemies, and Favourites as their only Friends and Confidants: For the first that forsook the King and run beyond Sea, was *Canterbury's* old Friend, Secretary *Windebank*; next after him flies *Finch*, and after the Earl of *Arundel*; and scarce one of his old Favourites, I mean before the *Scots* Troubles, stood by him, except my Lord *Cottington*: Secretary *Cooke* was either really or politickly sick; *Juxton*, Bishop of *London*, indifferent, and in all the Wars lived in the Parliament Quarters, but all the rest sided with the Parliament against him: Only *Land* and *Strafford* are laid in Prison, and after put to Death.

Nor were the Factions less pliable to entertain these Minions and Favourites, than they were forward to join with them: I'll give you one Instance herein; In this Parliament all those who would not join them were called *Delinquents*; and upon a Debate in the House of Commons, concerning an Order in the Star-Chamber signed by my Lord Privy-Seal, Secretary *Cooke*, and others, it was moved to send for Secretary *Cooke* as a Delinquent: Another Member (my nearest Relation, from whom I had this) moved, That since Sir *John Cooke* was aged and infirm, and above a hundred Miles off, and my Lord Privy-Seal in Town, therefore that the House should proceed against my Lord: To whom Mr. *Pym* reply'd, *That whatever my Lord's ante Acta Vitæ were, yet since he now went right, that all ought to be forgotten.*

Nay, so zealous were these new-converted Minions and Favourites, that rather than forsake their Seats in Parliament, they'll lose their Places at Court. You have heard how my Lord Privy-Seal became Lord Chief-Justice of the *King's-Bench*, after which the King made him Earl of *Manchester*, Lord Privy-Seal, and President of the Council; my Lord-Keeper *Coventry* was upright in all his Decrees, but my Lord Privy-Seal sets up the Court of *Requests* to have a concurring Jurisdiction with the *Chancery*; and Men whom my Lord *Coventry* did not please, brought their Causes into the Court of *Requests*; so that in a short time the Practice of this Court swell'd so much, that my Lord Privy-Seal made more Clerks and Attorneys than ever was known before.

King *Charles* sent to the Bishop of *Ely*, that he (the King) would have *Hatton-House* in *Holborn* for Prince *Charles* his Court, and that the King would be at the Charges for maintaining the Bishop's Title, tho the Bishop told me it cost him many a Pound: So in the Bishop's Name a Suit was commenced in the Court of *Requests* for *Hatton-House*. Before the new Buildings were built, *Hatton-Garden* was the finest and greatest in or about *London*, and my Lady *Hatton* had planted it with the best Fruit, Vines and Flowers which could be got; but upon commencing this Suit she destroy'd

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destroy'd all the Plantations, yet defended her Cause with all Opposition imaginable: But at last in 1639, notice was given to my Lady to hear Judgment; and at the day my Lady appear'd in Court, when my Lord Privy-Seal demanded of my Lady's Counsel, *If they had any more to say, otherwise, upon his Honour, he must decree against my Lady.* Hereupon my Lady stood up and said, *Good my Lord, be tender of your Honour, for 'tis very young; and for your Decree I value it not a Rush, for your Court is no Court of Record: And the Troubles in Scotland growing higher, the King had no Benefit of the Decree, nor my Lord any Credit in his Court ever after.*

Nor were the Descendants of many of the King's Favourites more faithful to the King than their Fathers, as the Lord Kimbolton, Sir Henry Vane, jun. Sir John Cooke, Henry Martin, &c.

Now when it was too late, like a Man who begins his Business the last day of the Term, the King seems to alter his Countenance, and indulge another sort of Men in Church and State, who were opposit to the Principles in Bishop Laud's Regency. Dr. Williams censured and imprisoned in the Tower, has all the Proceedings against him in the Star-Chamber and High-Commission revers'd, and taken off the File; and Mountague, Bishop of Norwich, dying in the beginning of the Parliament, Dr. Hall is translated from Exeter to Norwich, and Dr. Brownrig, a most learned and zealous Anti-Arminian, is made Bishop of Exeter, &c. my Lord Chamberlain Pembroke is removed, and the Earl of Essex put in his place; Sir Robert Holborn made Attorney-General, and Oliver St. John Solicitor, both which were Mr. Hambden's Counsel against the Legality of Ship-Money.

But neither these Actions, nor the King's repeated Royal Word could gain Credit with the Parliament, (I mean the Houses) who tho at another time they would have dreaded a standing Army, now resolve to maintain two, till their Grievances were redrest: And sure now it was a lamentable State the King was reduced to; he that before, rather than hear of what he had done, did not care what he did, and therefore dissolved four Parliaments, now every day hears of what he had done, yet cannot help it. His Judges, which before had refused to bail his Subjects committed by the King without Cause, are themselves now committed against the King's Pleasure, and no Bail to be taken for them: The King's Customers, who by the King's Order seized and sold the Merchants Goods for non-payment of Duties not legally imposed, are themselves seized, and fined more than they are worth.

Herein the King was only passive, but the Houses would not stay here; but tho the Commons at first impeached the Earl of Strafford before the Lords in their Judicial Capacity, wherein the King's Consent was not actually necessary, yet they after proceeded

against him by Bill, wherein the Attainder must be actually assented to by the King, personally, or by Commission, which the King did, my Lord Privy-Seal and the Earl of Arundel (I believe very unwillingly) being Commissioners; and the same day passed an Act, *That the Parliament should not be Prorogued, Adjourned, nor Dissolved without their own Consent*, which proved as great a Grievance as the King's proroguing and dissolving them at Pleasure, And the passing these Laws so frightened my Lord Treasurer *Juxton*, the Master of the Court of Wards, and the Governor of the Prince, that they all resign'd their Places.

Besides these, the King passed an Act for a Triennial Parliament to meet, if not by usual means, then by others, whether the King would or not. And an Act for the utter abolishing the Star-Chamber and High-Commission Courts: And to make it a *Premunire* in every one of the Privy-Council to determine any Causes cognisable at Common Law: An Act to abolish the Court of the Council and President of the North; and an Act to rescind the Jurisdiction of the Court of Stanneries: An Act to repeal the Branch of a Statute made the first of *Eliz. cap. 1.* to authorize Ecclesiastical Persons, natural born Subjects of *England*, to reform Errors, Heresies, Schisms, &c. An Act for declaring Ship-Money, and all Proceedings therein void: An Act for ascertaining the Bounds and Limits of the Forests as they were in the 20th Year of King *James*: And an Act to prevent the vexatious Proceedings touching the Order of Knighthood. These Acts thus passed, the Houses thought themselves secure enough, and so paid off and disbanded the *English* and *Irish* Armies, and sent the *Scots* into their Country again.

The much greater part of the Gentry, and also of the Members of both Houses, would have been content to have staid here; and many believed if the Parliament had met at *York* or *Oxford*, they would; but this could not be without disgusting the City of *London*, from which only the Loan of 200000 *l.* could be raised for Payment of the Armies till Provision could be made by Parliament.

But it was decreed that things should not rest here; and that the Faction in the House of Commons might get a Majority at one Vote, as they order'd it, they voted all those who had been instrumental in Monopolies, or in Ship-Money, or Collectors of the Customs, out of the House, and others to be chosen in their Places: And the Rabble in the City in Tumults exclaim'd against the Bishops and Popish Lords Votes; hereupon the Bishops enter their Protestations against all Proceedings till they might sit and vote freely, whereupon they are committed to the Tower, and a Law was passed to disable the whole Hierarchy for the future to have any Place in Parliament.

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As the *Scots* began their Reformation with a *Covenant*, so the *Commons* began theirs with a *Protestation*, wherein they Promise, Vow and Protest in the Presence of God, to maintain the true Protestant Religion expressed in the Doctrine of the Church of England, and, according to their Duty and Allegiance, to maintain and defend his Majesty's Royal Person and Estate, the Power and Privilege of Parliament, and Liberties of the Subjects, and to preserve the Union and Peace between the Kingdoms of *England*, *Scotland* and *Ireland*: but herein was the Difference between the *Scots* and *English*; the *Scots* would improve their *Covenant*, and establish it in *England*, but the *English* scarce ever after care for their *Protestation*.

However, the *Commons* prevail with the *Lords* to take it, and then impose it upon the Nation, upon the Penalty of being deemed Malignants and Disaffected.

The King, little pleased with what he had done, and less with what the Houses had done without him, follows the *Scots* into *Scotland*, and there cajoles the *Covenanters* with all Courtship imaginable; makes *Lesley*, the *Scots* General, Earl of *Leven*, and confers other Honours upon the *Covenanters*; calls a Parliament, and consents to the Extirpation of the Hierarchy, and establishes *Presbytery* as fully as the *Kirk* of *Scotland* could desire: The *Scots* at present promise all Duty and Obedience to him, but how well the King found it, in a short time will appear.

Whilst the King was thus busied in *Scotland*, a horrible and hellish Massacre was perpetrated in *Ireland* by the *Irish* upon the *English*, wherein it's computed above 200000 Protestants, Men, Women and Children, were butcher'd; after which followed an universal Rebellion, excepting in *Dublin*, *Londonderry* and *Inniskillen*, which was headed by the Pope's Nuncio, a most proper Head for such a Body: Yet so intent were the Factions in *England* and *Scotland* in establishing their Designs, that little care was had of the miserable Relicks of the Protestants in *Ireland*.

It appears evident to me, that *Richieu's* Scarlet was deep dy'd in the Blood of the poor *English* in this Massacre, for these Reasons.

1. That the *Scots*, who at this time were Pensioners to *France*, were not medled with in their Lives and Fortunes, as you may see in *Sir Richard Baker*, f. 315. a, b.

2. The King being in *Scotland* when he heard of the Massacre of the *English* and Rebellion of the *Irish*, he moved the Parliament of *Scotland*, then sitting, for a speedy Relief to the *English*, which they refus'd. And it's strangely observable, That tho the Massacre and Rebellion in *Ireland* brake out the 23d of *October*, yet the King did not proclaim them Rebels till the first of *January*, and then by Proclamation gave a strict Command, that no more than

forty of them should be printed, and that none of them should be published, till his Majesty's Pleasure was further signified.

Upon the King's going into *Scotland*, the Parliament prorogued themselves to a certain Day; But the Commons appointed a Committee to prepare Business against their next Meeting, yet send Spies to observe all the King's Actions; and after the King's Return to *London*, which was upon the 25th of November 1641, the *House of Commons* upon the 5th of December make a Remonstrance of all the King's Miscarriages abroad, and of the Grievances and Illegalities of his Ministers at home, from the beginning of his Reign; and that the King might be sure to see it as well as hear of it, they print and publish it.

The King not being used to such Language, was stung to the quick by the Commons Declaration; and to retaliate it in Act, upon the third of January enters the *House of Commons*, and demands five of their Members to be tried for *High Treason*, for holding Correspondence with the *Scots*: Than which he could not have done a more imprudent Act; for by it he unravelled all that he had done in *Scotland*, by involving the *Scots* in the same Crime.

But the Members had their Agents in the King's most secret Councils, and had notice of the King's coming before, and so the five Members were withdrawn. This Act of the King did not only set the House in a Flame, and put the City into Tumults, but brought Petitions from *Buckingham-shire*, (where Mr. *Hamlden*, one of the Five Members, was Knight) that the Privileges of Parliament might be secured, and Delinquents brought to condign Punishment. All this while poor *Ireland* lay bleeding.

The King, as unstable in his Resolutions as inconsiderate in his Actions, retracts all he had done, and promises not to do so again: But to no purpose, for the Members resolve not to trust his Royal Word, Prerogative, and absolute Will and Pleasure, and therefore will tear the Power of the Militia from him. Rather than suffer this, tho upon the Pretence of Tumults, the King resolves to leave *London*.

But before the King left *London*, my Lord Mayor Sir *Richard Gurney*, Sir *George Whitmore*, Sir *Henry Garoway*, and other principal Citizens, waited upon the King, and engaged, if he would stay, they would guard him with 10000 Men, if occasion were; and told him, If he went, he would leave the City open for the Members to do as they pleased, and that they were sure to be first undone; the King told them he was resolved: Then Sir *Henry Garoway* said, Sir, I shall never see you again. However, his Eldest Son, Mr. *William Garoway* (a worthy Gentleman, who yet lives) went with the King, and followed him in all his Wars.

The worthy Citizens proved true Prophets; for soon after the King left *London*, the Members imprisoned my Lord Mayor, Sir *Henry Garoway*, Sir *George Whitmore*, and all others whom they suspected would be faithful to the King; and then in *London* began to assume the Power of the *Militia*.

After the King left *London*, he went to *Tork*, and from thence went towards *Hull*, but is shut out of the Town by Sir *John Hotham*, whom the King proclaims Traitor; and now before it came to Sword and Pistol, Men began a War with their Pens: And herein it is observable, that the Writers for the King chiefly maintained his Cause out of Sir *Edward Coke's Pleas of the Crown*, which by Order of the King's Council, was upon Sir *Edward's* Death-Bed, seized as dangerous and seditious; and I do not find any who wrote for the Parliament, ever used any one *Topick* out of it to justify their Cause; tho' it and Sir *Edward's* other Books of the Comment upon *Magna Charta*, and *Jurisdiction of Courts*, were printed by Order of the House of Commons, and by them petitioned that the King would deliver the Originals to Sir *Robert Coke*, Sir *Edward's* Heir.

Whilst things were in this Hurly-burly in *England*, *Portugal* and *Catalonia* revolt from the *Spaniard*; which as it was a mighty Elov to *Spain*, so it much conduced to the Advancing the Designs of Cardinal *Richlieu* in *France*.

In *England* things could not hold long at this Stay, but upon the 22d of *August* the King comes to *Nottingham*, and hastily sets up his Standard there, and invites all his loving Subjects to come to his Assistance against the Rebels. Never was Nation shuff'd into such unhappy Circumstances; for to join the King, was to return to his *Prerogative Royal*, and *Absolute Will and Pleasure*; and I have oft heard several of those who followed the King in the War, say, *They as much dreaded the King's overcoming the Parliament-Party, as they feared to be overcome by them*: And the Houses had broken the Fundamental Constitution of the Nation, so as no Man could tell where they would stay.

Now are things brought to that pass *Richlieu* design'd them, viz, *England* and *Ireland* in Civil Wars, and *Scotland* Pensioners to *France*, so as he might now securely carry on his Designs of advancing the Grandeur of *France*, without any Fear of Disturbance from hence. And now you may see the miserable Condition the King's Minions and Favourites had brought upon the King, and all his Kingdoms: Yet it is observable how great the Loyalty of the Nobility and Gentry was to the King, that from so low Beginnings, in all Appearance they would have subdued the Parliament-party, if the *Scots* next Year had not come to their Assistance; whereas in the Reigns of *Edward* the 2d and *Richard* the 2d, though the Grievances of the Nation were more in one Year of this King's

Reign, than in both their Reigns, yet both were expelled and lost their Lives, their Subjects not drawing a Sword in their Defence.

An Apology.

BEfore we enter upon the War between the King and Parliament, it will not be amiss to enquire into the Causes of it, and who first began it; and whether the King, or Parliament, or both, designed it: And I am the rather induced hereto, because I am told that I have unjustly charged the Parliament with beginning the War; and that the contrary appears by a Treatise written by *Tho. May Esq; of the Causes and Beginning of the Civil Wars in England*: So that the Question between us is not who first designed the War, but who began it. But because Designations and Intentions precede Action, I will begin, so far as appears to me, Whether the King or Parliament first designed this War, or whether it were not intended by both. And give me leave to shew a little of Mr. *May's* Partiality in the Business.

I say Mr. *May* is partial, where page 13 he says, after the Pacification made with the Scots 1639, that when the King came to London, his Heart was again estranged from the Scots, and Thoughts of Peace; he commanded by Proclamation that Paper which the Scots avowed to contain the true Conditions of the Pacification, to be disavowed and burnt by the Hands of the common Hangman: So that he makes the Scots Parties and Judges in their own Case, without mentioning the Articles of the Pacification, or what the Scots avowed to contain the true Conditions of it. We will therefore set forth the Articles of the Pacification, and let another Judge whether the Scots observed them, or had any Thoughts of Peace. The Articles were,

1. The Forces of Scotland to be disbanded within 24 Hours after the Agreement.
2. The King's Castles, Ammunition, &c. to be delivered up.
3. His Ships to depart after the Delivery of the Castles.
4. All Persons, Ships and Goods, detained by the King, to be restored.
5. No Meetings, Treaties or Consultations to be by the Scots, but such as shall be warranted by Act of Parliament.
6. All Fortifications to desist, and be remitted to the King's Pleasure.
7. To restore to every Man their Liberties, Lands, Houses, Goods and Means.

The Articles were signed by the Scots Commissioners, and a present Performance of them on their Parts promised and expected.

The King justly performed the Articles on his part: but the Scots kept part of their Forces in being, and all their Officers in pay; and the Covenanters kept up their Fortification at *Leith*, and

and their Meetings and Councils, and inforce Subscriptions to the late Assembly at *Glasgow*, contrary to the King's Declaration; they brand those who had taken Arms for the King, as Incendiaries and Traitors, and null all the Acts of the College of Justice, as you may read in Mr. *Whitlock's Memoirs*, f. 29. So that tho the King performed all the Articles of Pacification on his Part, the *Scots* performed not one on their Part. Nor did the *Scots* stay here, but published a Paper very seditious against the Treaty, which is that which Mr. *May* speaks of: I do not find the Copy of it; but even Mr. *Whitlock* (no great Friend to the King's Cause) calls it so. Nor did the *Scots* stay here, but levied Taxes at ten Marks per Cent. and made Provision for Arms, as you may read in Sir *Richard Baker's History*, f. 408. and more at large in the second part of *Rushworth's Collections*; and all this before the King commanded the *Scots* Paper to be burnt by the Hand of the common Hangman: And therefore the King justly commanded the *Scots* Paper to be burnt by the Hand of the common Hangman.

And Mr. *May* says, *The honest People of both Nations began to fear another War.*

But why does Mr. *May* say, the honest People began to fear another War? Was it honest in the *Scots* to break all the Articles of the Pacification, to keep their Forces in a Body, and their Officers in Pay, contrary to the Pacification; to raise Taxes, and make Provision of Arms; and after all, these honest Men to begin to fear another War?

Mr. *May* goes on, and says, *The King in December told the Council, he intended to call a Parliament in England in April following: But rational Men did not like it, that it was deferred so long; and that the Preparations for a War in Scotland went on in the mean time.*

The last part is *gratis dictum* by Mr. *May*, nor does he mention any Preparation for a War, in any one particular; nor do I find this said by any other: But admit the King had made Preparation for a War with *Scotland*, yet by all Laws of God and Man, the King might justly have done it, after the *Scots* had broken all the Articles of Pacification, kept an Army on foot against it, levied Taxes by their own Authority, and made Provision of Arms without the King's Authority, which besides the Perfidiousness of the *Scots*, is Treason in the highest degree: And I would be glad to be informed by what other means the King could vindicate his Honour, or relieve his oppressed Subjects, otherwise than by a War.

Mr. *May* goes on, and says, *They (these rational Men) were likewise troubled that the Earl of Strafford, Deputy of Ireland, a Man of deep Policy but suspected Honesty, one whom the King then used as a bosom Counsellor, was first to go into Ireland, and call a Parliament in that Kingdom.*

And

And what then? Why might not the King call a Parliament in Ireland, as well as in England or Scotland? And if these rational Men did not like it (as he says) that a Parliament should be deferred so long in England, why should these rational Men be so troubled that the King should call a Parliament in Ireland? Nor does Mr. May give any Reason why they should be so troubled.

Besides, Mr. May says, *The King at that time had broken up the Parliament in Scotland, which the Scots complained of (the Business of State depending) as a great Breach of their Liberties, and against the Laws of that Kingdom.*

So here again, Mr. May makes the Scots Parties and Judges in their own Cause, and is not ingenuous in thus charging the King at random, and not shewing what Business of State was then depending: It's fit therefore to shew what Business of State was then depending, before Mr. May's rational Men should be so troubled at the King's breaking up the Parliament.

The Scots having, as before said, violated all the Articles of Pacification on their part, and persecuted the Loyal Scots, expressly contrary to the Pacification, as Incendiaries and Traitors, levied Taxes, provided Ammunition of War, and kept an Army on foot: The Parliament, over and above these, formed these Demands to be made to the King.

1. That Coin be not meddled with, but by Advice in Parliament.
2. That no Stranger be to command or inhabit in any Castles of the King's, but by their Advice.
3. That no Honour be granted to any Stranger, but such as have a competency of Land-Rent in Scotland.
4. No Commissioner or Lieutenanty but for a limited time. And next, they protest against the Precedency of the Lord Treasurer and Lord Privy Seal, as not warranted by any positive Law. See Baker, 408.

These were the Businesses of State which Mr. May speaks of; which added to what the Scots usurped before, I would know what Regality would be left for the King, and a Reason why Mr. May's rational Men should be so troubled for the King's dissolving the Parliament.

Mr. May drives on, and says, Upon which they sent some Lords into England, to intreat the King for a Redress of such Injuries as they had received since the Pacification; which were, that the Parliament was broken up before any Business done. If they made it their Business to divest the King, as they did, of his Rightful Regalities, the King had reason therefore to break them up.

That Edinburgh Castle was garison'd with far more Soldiers than was needful. So here the Scots are Parties and Judges in their own Cause; and you need not doubt, but that so many Soldiers as shall be able to defend the Castle, shall be judged by the Scots to be more than is needful.

That

That Dunbritton Castle was garison'd by English Soldiers. And why might not the King do it? for the English as well as Scots were his Subjects. But I dare say, if these had been the honest rational English-men May speaks of, neither he nor the Scots would ever have complain'd of it.

That the Scots which traded to England and Ireland (sure they mean Pedlars prohibited by Law) were enforced to take new Oaths, contrary to their Covenant, and altogether contrary to the Articles of Pacification: Whereas their Covenant is a new Oath contrary to their Allegiance: And if there were any such new Oaths, why do neither the Scots nor Mr. May name them? or if any such were imposed, that was so far from being altogether contrary to the Articles of Pacification, that I say they were not contrary to any one Article of the Pacification; unless the Scots or Mr. May could make new Articles of Pacification, and other than those before mentioned.

The King, Mr. May says, imprisoned those Lords, sending one of them, the Earl of Lowden, to the Tower, and commanded a Charge of High Treason to be drawn against him, concerning a Letter which the Scottish Covenanters had written to the King of France (French King had been as well) for his Assistance, and Lowden had subscribed it: But the Accusation was frivolous, easily answered, and came to nothing, because these Letters were not sent at all; and besides, it was before the Pacification, upon which an Oblivion of all things were agreed.

So here are two impertinent and frivolous Answers to excuse a most treasonable and rebellious Conspiracy, to bring in a foreign Power into Scotland; for it was subscribed by Rothes, Montross, Lesley, Marre, Montgomery, Lowden, and Forrester, under the Title of Au Roy, or our King, to Lewis 13. The first is, That those Letters were not sent at all, because they were intercepted by the Earl of Traquair, the King's Commissioner in Scotland. If Mr. May had not been a Christian, yet the very Heathen, by the Light of Humane Nature, could have informed him, that

— Scelus intra se tacitum qui cogitat ullum,
Facti Crimen habet. —

And if Conspiracies of Rebellion and Treason against Princes shall be esteemed frivolous, unless they evade into Actions, Princes and States too would be in a very unsecure state, and all Counsel and Endeavours to prevent them would be vain and frivolous; and I say, here was a double Overt-Act in this Conspiracy, one the Conspirators Meeting, the other the Subscribing the Paper.

The other Answer, That the Pacification was after the Subscription, and so there was an Oblivion upon it: But the Pacification was reciprocal between the King and Scots; and if the Scots first broke the
Pacifi-

Pacification, as they did, let them take all that followed ; and therefore the King had no Reason to perform his Part, nor the Scots to complain, if the King had hanged and quartered Lowden.

The War, Mr. May says p. 16. went on, the Earl of Strafford commanding in Chief, the Earl of Northumberland not being in Health, who was appointed General. But if Mr. May had been ingenuous and impartial, he should have told on which Side the War began, which he does not ; but only says, the Scots had not been backward, for having been debarred of their Trade, and lost their Ships by Seizure, they entred England with an Army, expressing their Intentions in writing to the English, and bringing with them a Petition to the King.

Admit all this to be true, the Scots should first have represented this to the King, and what was their Loss by being debarred of their Trade, and the Value of their Ships so seized ; and upon Denial, to have granted Letters of Reprizal till they had recovered Satisfaction : but of this Mr. May says not one Word, nor do I find or believe, the Scots ever did demand Satisfaction before they entred England in open Hostility, and in Defiance of the King and English Nation ; and for the Manner of bringing their Petition to the King, it was without Precedent, or such as never was done by any other People ; for they entred England, and maintained their Army by Plunder and Rapine upon the English ; and when Lesley came to Newborn upon Tine, he craves leave of my Lord Conway, ordered by the King to guard the Pass there, to pass with his Petition to the King, which my Lord Conway granted, with a considerable Number, but not with his Army. Hereupon Lesley, who had the Night before planted nine Pieces of Cannon on Northumberland side, by force of them passed the Tine, and killed and took 300 English Prisoners, and after took New-Castle, and seized four great Ships of the English, laden with Corn, and imposed a Tax of 350 l. a day upon the Bishoprick of Durham, and 300 l. a day upon the County of Northumberland, upon pain of Plundering ; and the Scots committed many Injuries and Insolencies upon the English where the Scots quartered ; as you may read in Mr. Whitlock's Memoirs, fol. 34, 35.

Thus was the state of things altered. Mr. May says, pag. 34. it should be pag. 18. *And that War which was intended for an Establishment of both the Nations (truly said, but untruly intended) became the Bond of Concord between them. God defend the Nation for time to come, of such Concord, or such Causes of it.*

The Parliament, Mr. May says, began with Matters of Religion : divers Ministers who had been of good Lives and Conversations, conscientious in their ways, and diligent in their Preaching, and had by the Bishops and those in Authority, been molested and imprisoned, for not conforming to some Ceremonies which were imposed on them, were

NOW

now by the Parliament relieved and recompensed for their Suffering : and others who had been scandalous, either for loose wicked living, or else Offenders in way of Superstition (both which, to discountenance the Puritans, had been frequently preferred) were censured and removed. Here Mr. May is right, but yet partial, in that he does not tell how that the Orthodox Clergy, as the Bishops of *Lincoln Williams, Dr. Hall of Norwich, Dr. Prideaux of Worcester, Dr. Brownrig of Exeter, Dr. Morton of Durham, &c.* and all the Orthodox Anti-Arminian Heads of both Universities, and also Dr. *Saunderson, Dr. Featly*, and many others, underwent the same Fate with those Ministers which Mr. May speaks of.

Pag. 38. which should have been 24. Mr. May says, *That the Parliament ordered that the Scots should be recompensed for all their Charges and Loss by that mischievous War which the King had raised against them.* Here Mr. May is not only partial and unsincere, but the contrary hereof is true ; for the Scots in the former War took up Arms and seized the Regalia at *Sterlin*, took Towns in *Scotland*, and other ways committed Acts of Hostility before the King raised Arms to suppress them, as is before ; and so they did in this latter, raise Arms in *Scotland* before they invaded *England*, before the King raised any Army. [See Whitlock's Mem. fol. 276.] Where Mr. May had this, unless framed by himself, I cannot tell ; but Sir Richard Baker recites the Demand at large, and the Commons Answer to them. And this Mr. May speaks of, is the sixth Demand, *Wherein they desire, from the Justice and Kindness of the Kingdom of England, Reparations concerning the Losses which the Kingdom of Scotland hath sustained, and the vast Charges they have been put unto, by occasion of the late Troubles.* To which the Commons answer,

That the House thinks fit, that a Friendly Assistance and Relief shall be given towards the Supply of the Loss of the Scots ; and that the Parliament did declare, that they did conceive that the Sum of 300000 *l.* is a fit Proportion for their Friendly Assistance and Relief, formerly thought fit to be given towards the Supply of the Loss and Necessities of their Brethren of *Scotland* ; and that the Houses would in due time take into Consideration the Manner how, and when the same shall be raised. Now let any Man shew out of Mr. May, where that mischievous War, which the King had raised against them, is to be found. If Mr. May had been a faithful Historian, he should have made Truth, and not the Distempers of a distracted Time, nor the Clamours of his prejudic'd Brain, to have been the Measures of his Story.

He should have set forth, how like Pedlars they treated the English in their Particulars in their 8th Demand of 514128 *l.* ---9 s. besides the Loss of their Nation to 440000 *l.* Yet they did not give in that Account with an Intent to demand a total Reparation

of all their Charges and Losses, but were content (good Men) in some measure to bear a Remnant.

Mr. May should have set forth, how perfidiously the *Scots* dealt with the *English* Nation, when in their Remonstrance, at their first coming in, they professed, that they would take nothing of the *English*, but for Money or Security; whereas they plundered and taxed *Northumberland*, *New-Castle*, and the Bishoprick of *Durham*; so that those Places could not recover their Losses in 20 Years, as Sir Benjamin Rudyard in open Parliament charged them; and that the *English* formerly established the *Scots* Reformation at their own bare Charges; whereas the *Scots* presumed to require a greater Sum than was ever given the King. Which you may read more at large in Sir Rich. Baker, fol. 417.

These are the Parliament's Brethren, for whose Brotherly Assistance they voted 300000 *l.* towards a Supply of the Losses and Necessities (note that) of our Brethren of *Scotland*, and that the Parliament would in due time take into Consideration the Manner of raising, and Days of Payment; and in the mean time, leave *New-Castle*, *Northumberland*, and *Durham*, a Prey to these devouring *Scots*. But lame-footed Vengeance shall overtake this Fraternity, and that by no visible Power at present, but what shall arise from among themselves. I could add many more Particulars of Mr. May's Partiality and Insincerity; but this already said is sufficient: And now it's time to enquire whether the King or Parliament, or both, designed the ensuing War, and who first designed it; tho the Distemper of the Times was so distracted and variable, that it's hard to judg of Intentions by Actions.

The Royalists excuse the King from any Intention of a Civil War in *England*, in that he protected no Man from the Justice of the Parliament, and that he had put away all those which the Parliament called Evil Counsellors, both in Church and State, having made Mr. St. John his Attorney, and Mr. Holborn his Solicitor, both which were his Antagonists in imposing Ship-Money; and upon his going into *Scotland*, made the Earl of *Effex* Chamberlain, and General of his Forces on this side *Trent*; and in the Church reversed all the Proceedings in the *Star-Chamber* against the Bishop of *Lincoln*, and preferred Dr. Hall from *Exeter* to the Bishoprick of *Norwich*, and made Dr. Brownrig Bishop of *Exeter*, and Dr. Pridcaux Bishop of *Worcester*, who were the most Learned of the Church of *England*, and most opposite to the Arminian Tenets, and of most exemplary Life and Piety; and before his going into *Scotland*, passed all Bills presented to him by the Houses, even that of not dissolving the Parliament without their Consent; which he would never have done, if he had had any Intention of raising a War against them, or a Civil War in *England*.

Mr.

Mr. May, p.43. it should be p.25. tells us of a twofold Treason against the Parliament, (if you'll take his word) and that the King was knowing of both; one was to have delivered the Earl of Strafford out of the Tower, but Sir William Balfour the Lieutenant would not consent to it: Here note, *The King made Balfour, a Scot, Lieutenant of the Tower, one of the greatest Places of Trust in England, without any Complaint of the Parliament; whereas the Parliament of Scotland, in their second Demand made to the King, would have no Stranger to command or inhabit in any Castles of the King's without their Consent.*

The other part of this Treason, chief of all the rest, (*But why all, when but two?*) Mr. May says, was a Design to bring up the English Army, which was in the North, and not yet disbanded; this Army they had dealt with to engage against the Parliament's sitting, and (as they alledg) to maintain the King's Prerogative, Episcopacy, and other things against the Parliament it self.

This Charge is so false, as well as partial, as no Man who had any regard to Truth, Honesty, or Fairness, would have so expos'd himself; for if the King's Prerogative be not maintain'd, he can neither govern his Subjects nor protect them from Foreign Enemies, and Episcopacy is one of the Constitutions of the Nation; and how the maintaining these can be against the Parliament, had need of a wiser Head than Mr. May's to shew: But these two are not all Mr. May says, but there were other things against the Parliament, (if there had been other things, I do not think Mr. May would in Modesty have conceal'd them); but since Mr. May has not given the Causes of this chief Treason, I will do it, and not follow Sir Richard Baker, nor Franklin, lest they should be deemed to be partial to the King's Cause, but Mr. Whitlock, whom no Man believes to be so, who, fol. 44. b. says,

June 19th, *It was voted that the Scots should receive 100000 l. of the 300000 l. the Scots by a Paper pretended Necessity for 125000 l. in present; the Parliament took off 10000 l. of 50000 l. which they had appointed for the English Army, and order'd it for the Scots.*

The Lord Piercy, Commissary Wilmot and Ashburnham (Members of Parliament) sitting together, and murmuring at it, Wilmot slept up and said, *That if such Papers of the Scots could procure Monies, he doubted not but the Officers of the English Army would soon do the like; and this caused the English Army to say, The Parliament had disoblighd them.*

The Officers put themselves into a Juncto of sworn Secrecy, and drew up some Heads by way of Petition to the King and Parliament for Money for the Army, and not to disband before the Scots; to preserve the Bishops Votes and Functions, and to settle the King's Revenue.

The Army tainted from hence, met and drew up a Letter or Petition, which was shewed to the King, approv'd and signed by him with C. R. and a Direction to Captain Leg, that none should see it but Sir Jacob Ashley, (it should have been *Astly*) the main drift was, *That the Army might be call'd up to attend the Safety of the King's Person, and Parliament's Security; or that both Armies might be disbanded.* Where is this chief Treason lodg'd, unless in Mr. May's Brain? Or, where is the King's Prerogative mention'd? But as the Times then went, Mr. May took liberty to say what he list to humour them, the Scots must be obey'd in whatsoever they demand, and it must be chief Treason in the English to petition.

Mr. May, p. 32, 33. will have the King's going into Scotland to be a Design to raise War against the Parliament of England, and to that end tells a Story of a Scots Writer, that published, that it was to engage the Scots against the Parliament of England, with large Promises of Spoil, and offering Jewels of great Value for Performance of it; but he names not the Scot, and leaves it uncertain for the Reader to judge by what fell out afterward: But if he (the King) did, it was a matter of great Falshood (Mr. May says) having as yet declar'd no Enmity against the English Parliament: From the same Author, he says, it was to make sure of those Noblemen of that Kingdom he doubted of, as not willing to serve his turn against England; and true it is, that about September Letters came to the standing Committee at Westminster, that a Treasonable Plot was discovered there against the greatest Peers of the Kingdom, (but says not which Kingdom) upon which the standing Committee, fearing some Mischief from the same Spring, placed strong Guards in divers Places of the City of London. *But in all this the Fox is the Finder, and Mr. May as partial and false as in all he said before.*

The truth was, Jealousies and Fears were fomented by the Parliamentarians, and even by the Members themselves, against the King and Royalists: But Mr. Whitlock, tho of like Affection with Mr. May, yet a much more impartial Representer of the Actions of those Times, fol. 49. a. represents it thus:

The Marquesses of Hamilton and Argyle withdrew from the Parliament in Scotland upon Jealousy of some Design against their Persons; but upon Examination of that matter by the Parliament there, it was found to be a Misinformation, yet the same took fire in our Parliament, upon the Surmises of some; whereupon the Parliament here appointed Guards for London and Westminster, and some speak not without Reflection upon the King.

The Royalists charge the Parliament, at least the Commons, with a Design to raise War against the King, and to make him odious to the People, after he had granted all the Parliament desired of him, and given up those whom they call'd evil Counsellors,

to their Justice, for their Remonstrance of the State of the Kingdom after the King's return out of Scotland: which because of the Extraordinariness of it we will recite it *verbatim*, as is said by Mr. Whitlock, f. 49. b.

The House of Commons prepared a Remonstrance of the State of the Kingdom, wherein they mentioned All the Mistakes, Misfortunes, Illegalities and Defaults in Government since the King's coming to the Crown, the evil Counsels and Counsellors, and a malignant Party; that they have no hopes of settling the Distractions of this Kingdom for want of a Concurrence with the Lords.

This Remonstrance was somewhat roughly penn'd, both for the Matter and Expressions in it, and met with great Opposition in the House, insomuch as the Debate of it lasted from three a Clock in the Afternoon till ten next Morning; and the sitting up all Night caused many of the Members, through Weakness or Weariness, to leave the House, and Sir B. R. (I think he means Sir Benj. Rudyard) to compare it to the *Verdict of a starv'd Jury*.

When the Vote was carried, tho not by many, to pass the Remonstrance, Mr. Palmer, and two or three more, made their Protestation against this Remonstrance, for which they were sent to the Tower.

This Remonstrance was presently printed and published by the Parliament, contrary to the King's Desire, and before his Answer made to it, which came forth shortly after to all the Heads of it.

Now let any shew a Precedent, when one State in Parliament appealed to the People, and arraigned the King, and the other two States, unheard, and against the King's express Desire, and he shall be my great *Apollo*. And if the End be first consider'd in every Action, what could be the End of publishing this Remonstrance? Or how could it tend to the settling the Distractions of the Kingdom? I make this difference between *Reproof* and *Reproach*; *Reproof* is privately to admonish another of such Speeches and Actions as tend to the hurt of his Reputation and Fortune, so as this other may avoid them for the future; *Reproach* is to divulge the Speeches and Actions of another, to the lessening of the Fame and Credit of that other: *Reproof* is the Act of a Friend, *Reproach* of an Enemy. And was this a time of day for the Commons thus to reproach the King for his past Actions, after he had redressed all their Grievances, and given up his Evil Counsellors to their Justice? Or, was it ever known before, that when the King had redressed Grievances, they should be after rip'd up to reproach him?

The first Effects of this Remonstrance, Mr. Whitlock mentions, is, That during this time, and taking the opportunity from these Differences between the King and Parliament, divers of the City of the meaner sort came in great Numbers and Tumults to White-

hall, where, with many unseemly and insolent Words and Actions, they incensed the King, and went from thence in like Posture to *Westminster*, behaving themselves with extream Rudeness towards some of the Members of both Houses: and tho the King sent to the Lord Mayor to call a Common Council to prevent these riotous Assemblies, yet I do not find the Commons took any Care herein; and how these Actions of the Commons tended to settle the Distractions of the Nation, or the Relief of *Ireland*, let any impartial Man judg. But of all this Mr. May takes no notice, yet does of the Parliament's petitioning the King for a Guard for the Security of their Persons, being informed of a Plot contrived against them, (such another as that of *Scotland*) and the Earl of *Essex* to command it, which tho the King denied, he promised to take care for their Safety.

Since Mr. May had no better luck with his *Scottish* Plot, he'll be sure of one now, by the King's entring into the House of Commons attended by 300 Gentlemen, and seated in the Speaker's Chair, and demanded five Members, viz. Mr. *Hollis*, Sir *Arthur Haslerig*, Mr. *Pym*, Mr. *Hambden*, and Mr. *Stroud*, to a fair Trial, and would be as careful of their Privileges as ever any King of *England* was. But in regard Mr. May is so short and partial in this, we'll state the Case as reported by Mr. *Whitlock*, f. 50. a.

The King being informed that some Members of Parliament had private Meeting and Correspondence with the Scots, and countenanced the late Tumults from the City, he gave a Warrant to repair to their Lodgings, and to seal up the Trunks, Studies and Chambers of the Lord *Kimbolton*, Mr. *Pym*, Mr. *Hambden*, Mr. *Hollis*, Sir *Arthur Haslerig*, and Mr. *Stroud*, which was done, but their Persons were not met with.

The King caused then Articles of High Treason, and other Misdemeanours against those five Members, to be exhibited.

1. For endeavouring to subvert the Fundamental Laws and Government, and deprive the King of his Legal Power, and to place on Subjects an Arbitrary and Tyrannical Power, by foul Aspersions on his Majesty and Government, to alienate the Affections of his People, and to make him odious.

2. To draw his Army to Disobedience, and to side with them in their Traiterous Designs.

3. That they traiterously invited and encouraged a Foreign Power to invade *England*.

4. That they traiterously endeavoured to subvert the very Right and Being of Parliament.

5. For endeavouring to compel the Parliament to join with them in their Traiterous Designs; and to that end have actually raised and countenanced Tumults against the King and Parliament.

This

This great Breach of Parliament-Privilege (Mr. May says) happened in a strange time to divert the Kingdom from relieving Ireland: And did not the Commons Remonstrance against the King and House of Lords do so too? And when Men, especially Princes, are reproached and defamed, regular Actions are not always consequent.

The Censures of the King's Act was variously scanned by Men of different Affections: The Royalists said, Privilege of Parliament extends not to Treason, Felony, or so much as Breach of the Peace. And the Commons frame and publish a Declaration, *That there was never such an unparallel'd Action of any King to the Breach of all Freedom, not only in the Accusation of their Members, ransacking and searching their Studies and Papers, and seeking to apprehend their Persons; but now in a Hostile Way, He (the King) threatned the whole Body of the House.* This was Jan. 5. 1641.

And after the Commons published another Vote, *That if any arrest a Member of Parliament by Warrant from the King only, it is a Breach of Privilege; and that the coming of Papists and Souldiers to the number of 500 armed Men (Mr. May says but 300, and Mr. Whitlock says, with his Guard of Pensioners, and follow'd by about 200 of his Courtiers) with the King to the House, was a traitorous Design against the King and Parliament.*

They vindicate the five Members, and declare, *That a Paper issued out for apprehending them, was false, scandalous, and illegal, (How could they tell before they heard both Parties?) and they ought to attend the Service of the House, and require the Names of those who advised the King to issue out that Paper, and the Articles against the five Members: Which if the King had done, they would have been exposed to more Violences of the Rabble than those which befel the Bishops, and other Members of Parliament, by a great Number of Persons which came from the City to Westminster, where they offered many Affronts to the Bishops and others in a tumultuous manner. See Whit. Mem. f. 51. a.* But of this no notice was taken by the Commons or Lords that I can find; so that as the Temper of the Times then went, it was a notorious Breach of Privilege in the King to demand five Members to answer Articles of High-Treason, but none in the Rabble in a tumultuous manner to affront and use Violence to the Bishops and others who were coming to do their Duties and Service in Parliament.

These Actions Mr. May, p. 41. calls petitioning by the Rabble, and many times to utter rude Speeches against some Lords, whom they conceived to be evil Advisers of the King, which, however it was meant, produced ill Consequences to the Commonwealth, and did not so much move the King to be sensible of his grieving the People, as arm him with an Excuse of leaving the Parliament and City for fear of what might ensue upon such tumultuous Concourse of Men.

And why was not this a reasonable Excuse for the King to leave the Parliament and City, when they countenanced these Tumults, and the King had not Power to suppress them?

Mr. May goes on, and says, *Upon this ground twelve Bishops at that time absenting themselves, entred a Protestation against all Laws, Votes and Orders, as Null, which in their Absence should pass, by reason they durst not for fear of their Lives come to perform their Duties in the House, having been rudely menaced and assaulted. And why might not the Bishops enter such Protestation? for if it be a Maxim in all Assemblies, that Plus valet contemptus unius, quam consensus omnium, then does the Contempt and Affront of a whole Order of Men, who have a Right of Suffrage, much more render the Actions of the rest invalid?*

However, Mr. May goes on, and says, *Whereupon it was agreed by both Lords and Commons, that this Protestation of the Bishops was of dangerous Consequence, and deeply entrenched upon the Privilege and Being of Parliaments; they were therefore accused of High-Treason, apprehended, and committed Prisoners to the Tower. And I say, a time shall come, when in Parliament these Men, who run thus high against the Bishops and established Church of England, shall be prosecuted by a contrary Extream, and the Church by Law exalted higher than it was before.*

Mr. May goes on, and says, *Thus was the Parliament daily troubled with ill Work, whereby the Relief of Ireland was hindered. If they were thus troubled, they may thank themselves for beginning these Troubles, as well by the Commons Remonstrance against the King and Lords, as by their countenancing the Tumults. By this time things were so envenom'd, as would admit of no Lenitives, especially by the Commons; and the King went from London to Hampton-Court, and sent a Message to the Parliament, and advises them, To digest into one Body all the Grievances of the Kingdom, and send them to him, promising his favourable Assent to those Means which should be found most effectual for Redress, wherein he would not only equal, but excel the most indulgent Princes. The Parliament thank'd him; but nothing but having the Militia at their Disposall would secure their Fears and Jealousies.*

This was as new in England as the perpetuating the sitting of the Parliament; and if the King should grant it, it would be a total Subversion of the Monarchy: For the Parliament being perpetual, and having the Power of the Militia, the Government must be either a Commonwealth, or an Oligarchy, and the King insignificant in it; yet have it the Parliament would, notwithstanding other Grievances, and the deplorable State of Ireland: And therefore upon the 26th of February they tell the King plainly, *That the settling the Business of the Militia*

Militia will admit no more Delay; and if his Majesty shall still refuse to agree with his two Houses of Parliament in that Business, and shall not be pleased upon their humble Advice to do what they desire therein, that then for the Safety of his Majesty, of Themselves, and the whole Kingdom, and to preserve the Peace thereof, and to prevent future Fears and Jealousies, they shall be constrained of themselves, without his Majesty, to settle that necessary Business of the Militia. See Whit. M. f. 54. a.

Here 'tis observable, That as the King feigned a Necessity to raise Ship-money for the Good and Safety of the Kingdom in general, when the whole Kingdom is in danger; the Judges gave their Opinion, That the King may by his Writ under the Broad Seal of England, command all his Subjects of this Kingdom to provide and furnish such Number of Ships, with Men, Victuals, and Ammunition, and for such time as the King shall think fit, for the Defence and Safeguard of the Kingdom from such Peril and Danger; and that by Law the King may compel the doing thereof, in Case of Refusal and Refractoriness; and that in such Case the King is sole Judge, both of the Danger, and when and how the same may be prevented and avoided: So now the Parliament pretending a Necessity for the Safety of the King and of Themselves, and the whole Kingdom, and to preserve the Peace thereof, will tear the Militia from him. In this State things could not stand long at a Stay.

Mr. May, p. 47. will have the Queen's going into *Holland* with her Daughter, and carrying with her the Crown-Jewels of *England*, and pawning them there, whereby she bought Arms for the War which ensued, that it was then designed by the King against the Parliament: but if Mr. May had been sincere, he should have told too, as Mr. Whitlock does, f. 59. a. how the Parliament took 100000 l. of the 400000 l. they voted to be raised for *Ireland*; and whether this was not for the War which ensued in *England*.

Mr. May, p. 48. recites three Votes of Parliament, 1. *That the King's Absence so far remote (being then at York) from his Parliament, is not only an Obstruction, but may be a Destruction to the Affairs in Ireland.*

2. *That when the Lords and Commons in Parliament, shall declare what the Law of the Land is; to have this not only questioned and controverted, but contradicted, and a Command that it should not be obeyed, is a high Breach of the Privilege of Parliament.*

3. *That they who advised the King to absent himself from the Parliament, are Enemies to the Peace of this Kingdom, and justly to be suspected to be Favourites of the Rebellion in Ireland.* But Mr. May should have added, that it is not the King's Presence in *London*, or any other Place, but his assenting to Bills presented to him, which he may do by Commission as well as Personally, that enacts them

into Laws; and that the King after he went from *London*, passed the Bill for taking away the Bishops Votes in Parliament, and that no Clergy-Man should exercise any Temporal Jurisdiction; which the King did with remorse enough, and only to humour and appease the Temporal Lords and Commons in Parliament; and the Bishops in Parliament are one of the 3 States of *England*. The King moreover in his Absence, upon a Motion by the Parliament, put Sir *John Byron* from being Lieutenant of the Tower, and Sir *John Conniers* to succeed him; and refers the Consideration of the Government, and Liturgy of the Church, wholly to the two Houses: see *Whitlock's M. f. 53. b.* But nothing less than the King's parting with the Militia would satisfy the Parliament, which the King would not part from: so now it's left fair for indifferent Men to judge, whether the King or Parliament, or both, designed the ensuing War. And to proceed to set forth who began it.

I have said in the first Page of this King's Reign, or p. 153, That the first Fifteen Years of it were perfectly *French*, and such as were never before seen or heard of in the *English Nation*; this brought on a miserable War in all the Three Kingdoms of *England, Scotland and Ireland*, and Destruction upon the King, *when is was not in the Power of those which first raised the War against him, to save his Life, which they would have done.*

I am told, that the last Part of this Paragraph, is an unjust Charge upon the Parliament, in that they acted defensively in this War, and that the King first raised Arms; and this by the Authority of Mr. *May*.

If I be mistaken, I have the Authority of him who could best know; I mean the King at his Death, who declared, *That he never did begin the War with the two Houses of Parliament, as all the World knows; that they began with him; it was the Militia they began upon; they confess that to be his, but they thought fit to have it from him: and to be short, if any body will look into the Dates of those Commissions, theirs and his, and likewise to the Declarations, they will see clearly, that they began these unhappy Troubles, not he.* See *Whit. Mem. f. 369. a.* and all the Writers of those times.

If this be not Authority sufficient to shew the Parliament began the War; the first Scuffle between the King and Parliament, was about the Business of *Hull*, where the Parliament had committed the Charge of the Town and Magazine to Sir *John Hotham*, one of the Members of the Commons, who was sent down thither to remove the Magazine to *London*: but the County of *York* petitioned it might still remain at *Hull*, for securing the Northern Parts, especially the King residing there.

Hereupon the King taking a Guard of his Servants and some Neighbouring Gentry, upon the 23d of *April* went to *Hull*, but contrary to Expectation, found the Gates shut, and the Bridges drawn

drawn up, by Sir *John*, and his Entrance denied, though but with 20 Horse; which so moved the King, that he proclaimed *Hotham* a Traitor, and sends to the Parliament for Justice against him.

To this the Parliament return no Answer; but justify Sir *John Hotham*, and order that the Sheriffs and Justices of the Peace do suppress all Forces which shall be raised, or gathered together against *Hull*, or to disturb the Peace; nor did they stay here, but put the Power of the Militia in Persons nominated by them, excluding the King in ordering any thing together with them; and authorized *Hotham*, by his Warrants, to raise the trained Bands in *Yorkshire*, to march with their Arms into *Hull*, where he disarmed them, and turned them home again. See *Whit. Mem. f. 55, 56*. So I submit this to Judgment, whether this was not raising Arms against the King, being done by Subjects, and contrary to the King's Command; and if the King did encrease his Guards, yet this was subsequent to the excluding the King from having Power in the Militia, and *Hotham's* Raising Arms, and Disarming the Trained Bands of *Yorkshire*.

Mr. *May* says, p. 55. the Parliament being then intent upon settling the Militia by Land, took care also to seize the Navy into their Hands, and ordered the Earl of *Warwick* to be Admiral, to put this in Execution: but the King had chosen Sir *John Pennington* to that place instead of the Earl of *Northumberland*, and sent a Command to the Earl of *Warwick*, to resign the Place to him (*Pennington*;) But the Earl chose rather to obey the Ordinance of Parliament, and with great Courage and Policy got the Fleet into his Hands, tho many of the Captains stood out against him; but the Earl deprived them of their Commands, and possess himself of the Ships, taking shortly after another Ship called the *Lyon*, of great Import, coming out of *Holland* and laden with Gun-powder, which proved a great Addition to his Strength. So here was a double Beginning of the War by the Parliament, both in seizing the Fleet, and taking the *Lyon*, and this before the King committed any Act of Hostility.

And for the carrying on this War, (which Mr. *May* calls the Cause) the Parliament upon the 10th of *June*, made an Order for bringing in Money and Plate, to raise Arms for the Cause, and the Publick Faith for Repayment to them which brought it in. So here the Parliament raised Money, as well as Forces, for carrying on the War, before the King levied any: And so I leave it to Judgment who first began the War.

Objection. *The Parliament raised Arms for their own Defence, and Security of the Nation.*

Answer. This is said, but of no kin to Truth or Reason : for Men defend what they are possess'd of, and the King was possess'd of the Militia and Fleet, when the Parliament ravish'd both from him ; nor did the King use either against the Parliament, when they invaded them. Besides, the King (at least, as he declared) endeavour'd to defend the established Religion, and Laws of the Land ; whereas the Parliament contended to abolish the Established Religion, and to exalt themselves above the Laws of the Land.

Objection 2. That the King had so often violated the Laws and Constitutions of the Nation, and governed so Arbitrarily, that the Parliament could have no Security for the future to prevent his so doing again, so long as the King was possess'd of the Militia.

Answer. The Case was not the same then, when the King resolved to have no more Parliaments, as now, when the King had made this Parliament perpetual, and had passed the Triennial Bill, for Parliaments to meet whether he would or no : And tho Favourites and Flatterers instill'd those things into the King, when they were without any Fear or Apprehension of being questioned by a Parliament, yet now the Parliament had so severely prosecuted and punished such Men, and being perpetual, or at least to meet Three Years after every Dissolution, none would presume to advise the King in things derogatory to his Honour, and the Interest of the Nation. And now we proceed to the ensuing War.

The Parliament, before the King set up his Standard at Nottingham, Aug. 22, Voted, *That an Army should be raised for the Defence of the King and Parliament ; that the Earl of Essex should be Captain General of the Army, and the Earl of Bedford General of the Horse.*

The War began first between the Marquess of Hartford for the King in the West, and the Earl of Bedford for the Parliament ; the Earl being worsted by the Marquess at Sherborn-Castle. Goring got into Portsmouth, and held it for the King ; but could not hold it long, for the Country joining with Sir John Meyrick, forced him to surrender, who thereupon went into Holland ; and my Lord Say, St. Johns, and Weemen, with Colonel Whitlock, enter Oxford, and keep it for the Parliament.

But the Face of Affairs soon changed ; for the King having made the Earl of Lindsey his General, and the Parliament the Earl of Essex ; upon the 23^d of October the Armies met, and fought at Edghill, with uncertain Victory, which both sides claimed : the Earl of Lindsey was mortally wounded, and taken Prisoner ; the Right Wing of the King's Horse, commanded by Prince Rupert, brake the Left Wing of Horse of the Parliament's, which Prince

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Prince *Rupert* pursued too far, tho with great Slaughter; but the King's left Wing of Horse was broken by Sir *William Balfour*, Sir *Philip Stapleton*, and the Lord *Fielding*.

However the Victory was uncertain, the Success was not so, for the King took *Banbury Town* and *Castle*, and *Oxford*; and Prince *Rupert* took my Lord *Say's House* at *Brought*, and made Excursions near *London*: whereupon the Parliament recalled *Effex* to defend themselves.

And it was time, for the King was marching towards *London*, having taken *Reading* and *Henley*; and at *Brentford* both Armies fought, *Effex* being assisted by the Trained Bands and Apprentices of *London*, and the King was forced to retreat; and if *Effex* had followed, in all Appearance the King would have lost his Army, not having Bullet enough to have maintained one quarter of an Hour's Fight: and towards the latter end of the Year, Prince *Rupert* storms *Cirencester*, and puts many of my Lord *Stamford's* Regiment to the Sword, and took 1100 Prisoners, which were used with great Barbarity; and Colonel *Nathaniel Fines*, in the West, was routed by Prince *Rupert*; and in the North, Sir *John Hotham* was beaten by the Forces commanded by the Earl of *Cumberland*, Sir *Fran. Worsley*, Sir *Marm. Langdale*, and Sir *Thomas Glenham*.

This Year there was a Treaty of Peace at *Oxford*; the Parliament's Propositions were, That the King should disband his Army, return to the Parliament, leave Delinquents to Trial, and Papists to be disbanded.

That a Bill be brought in for abolishing Episcopacy, &c. and such other Bills as should be presented for Reformation; Recusants to abjure Papacy, to remove malignant Counsellors, to settle the Militia as the Parliament desired, to prefer to Offices such as the Parliament should name, and to take in all that were put out of Commissions of the Peace.

A Bill to vindicate the Lord *Kimbolton*, and five Members; to enter into Alliances for the *Palatinate*, and to grant a general Pardon, excepting to the Earl of *New-Castle*, *Digby*, and others.

To restore Parliament-Members to their Offices, and to restore their Losses.

The King proposed,

That his Revenue, Magazines, Ships, and Forts, be restored; That what had been done contrary to Law and the King's Right may be recalled; That all illegal Power claimed, or acted by Order of Parliament, be disclaimed: And as the King will consent to the Execution of all Laws concerning Popery and Reformation, so he desires a Bill for preserving the Common-Prayer against Sectaries; that all Persons excepted against by this Treaty, may be tried *per Pares*, with a Cessation of Arms, and a free Trade.

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This Treaty began *March 4. 1642*, and broke off *April 15.* following, viz. 1643. But this is observable in this fickle King, that four Days before the Treaty broke off, the King said, he was fully satisfied, and promised to give the Parliament-Commissioners his Answer in Writing, according to their Desires; but because it was past Midnight, he would have it drawn up in Writing, and give it them in the Morning: but instead thereof, the King gave them a Paper quite contrary to what was concluded the Night before. *Whitlock's Mem. fol. 65. a.*

The Treaty of Peace thus broke off, both sides proceed in War. The Queen this Year, about the beginning of *May*, landed at *Scarborough* in *Yorkshire*, from *Holland*, having avoided a Squadron of Men of War designed by the Parliament to intercept her, and brought abundance of Arms, and about 3000 Soldiers, and was proclaimed Traitor by the Parliament, and after joined with the King and his Army at *Edg-Hill* in *Warwickshire*. And if the Parliament prospered so ill last Year, they succeeded worse this; for the Earl of *Northampton* enters *Litchfield*, and drives the Parliament's Forces into the Close; and after that defeats Sir *John Gell*, and Sir *W. Brereton*, but the Earl was slain at the Head of his Forces: and the Earl of *New-Castle*, in the North, overthrew the Parliament's Forces commanded by Sir *Thomas Fairfax* at *Bradforth*; and Sir *William Waller* is defeated in the West; Prince *Rupert* takes *Bristol*, and Prince *Maurice*, *Exeter*, *Biddisford*, *Barnstable*, *Appleford*, and *Dartmouth*: The great *Hambden* is routed, and mortally wounded at *Chalgrave Field* by Prince *Rupert*. And now the King had two conquering Armies in the North and West, and the Parliament none considerable to oppose either; so that it either the King, or the Marquess of *New-Castle*, had marched to *London*, in all Appearance either Army would have found little Opposition: but instead hereof, the King sits down and besieges *Glocester*, and the Marquess of *New-Castle* comes before *Hull*.

This gave the Parliament an Opportunity to recruit *Effex's* Army, and to enter into a Treaty to procure the *Scots* to bring an Army into *England* again for to assist the Parliament.

In this Treaty a double Consideration is remarkable; first, The Instability of humane Actions, which are founded in Passion and Prejudice, for there was but one Year between this Treaty and the National Protestation by the Parliament, to Maintain the true Protestant Religion, expressed in the Doctrine of the Church of *England* (which Passage Mr. *Whitlock* in his *Memoirs*, fol. 43. has left out) and according to their Duty and Allegiance, to maintain and defend his Majesty's Royal Person and Estate, the Privileges of Parliament, and Liberties of the Subjects, and to preserve the Union between the Kingdoms of *England*, *Scotland*, and *Ireland*; and this to be taken by all *English-men*: but now the *Scots* would

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not stir one Step, unless the Parliament of *England* would join with them in their Covenant, which ill agreed with their Protestation; which the Parliament submitted to.

The other, was a Discovery of a Spark, which soon after broke out into such a Flame, as consumed the Covenant, Presbytery, the Parliament, King, and Church and State of *England*; for tho during the Prosperity of the King's Affairs this Fire was covered, yet when young Sir *Henry Vane* (who was one of the Parliament's Commissioners, and one who loved the Presbyterian Government no better than the Episcopal) saw that the Parliament would submit to the *Scotish* Covenant and Discipline, he stirly opposed it singly, and at last carry'd it, that the Nations should join in a Solemn League: and the *Scots* would have Church-Government to be according to the Example of the best Reformed Churches; but Sir *Henry Vane* insisted to have it according to the Word of God only, and carried both points. Afterwards, one of Sir *Henry's* Fellows expostulated with him, why he should put them to so much Trouble about such needless Trifles? Sir *Henry* answer'd, He was mistaken, and did not see far enough into the matter; for a League shewed it was between two Nations, and might be broken upon just Reasons, but not a Covenant; and that Church-Government, according to the Word of God, by the Difference of Divines and Expositors, would be long enough before it were determined, for the learnedst held it clearly for Episcopacy; so that when all agreed, we may take in the *Scots* Presbytery. See the Life of General *Monk*, p. 23, 24. written by his Chaplain Dr. *Gumble*.

The Parliament having recruited the Earl of *Essex's* Army, he forced his Passage, and relieved *Glocester*; the King's Army retreat to *Newbury*, where it was charged by *Essex*, and worsted; and in the Fight, the Ornament of the Age, the learned and most ingenious Lord *Falkland*, tho weary of his Life, and presaging his own Destiny, was slain, as were the Earls of *Sunderland* and *Carnarven*.

If the King's Army had such bad Success before *Glocester*, my Lord of *New-Castle* had worse before *Hull*; for lying in a moorish unhealthy place, in a sickly season of the Year, viz. *September* and *October*, the whole Army fell into Fluxes and other Distempers, so as they were forced to raise the Siege, having done nothing considerable in it: besides, at this time *Lyn-Regis* in *Norfolk* (a Place near as considerable as *Hull*) was seized by the Gentry of *Norfolk*, and might have been relieved, if *New-Castle* had not been engaged in besieging *Hull*. Tho the *English* and *Scotish* Parliament agreed in their Solemn League and Covenant, yet so did not Sir *John Hotham* and his Son with the Preferment of Sir *Thomas Fairfax* and others in the North, so that Sir *John Hotham* refused to serve under *Fairfax*. Hereupon the Parliament intended to have displaced *Hotham*; which when he heard of, both he and his

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Son treated with the Marquess of *New-Castle* to deliver *Hull* to the King; and the Parliament suspecting the Design, sent Sir *Matthew Bromton* (Sir *John's* Brother-in-law) to seize both Father and Son: which Sir *John* little suspecting till it was too late, fled to *Beverly*, where he was seized by his own Soldiers, and carried to *Hull*, from whence Sir *Matthew* sent both Father and Son to *London*, where soon after both lost their Heads.

When the Parliament sent Commissioners to invite the *Scots* to come to their Assistance, the King sent Letters to dissuade them from it, urging the manifold Grants he had given to them when he was in *Scotland* last, which completed all they could ask; and their solemn Protestations to be for ever his Majesty's most obedient Subjects. See the Act cited by Sir *Rich. Baker*, fol. 514. *That it should be detestable Treason in the highest degree, for any of the Scots Nation, conjunctly or singly, to raise Arms or any military Force upon any Cause whatever, without the King's Commission.* But now, unprovoked by the King, and against his express Command, they in open Hostility enter *England* a second time against him; so little Faith or Honour was to be trusted to from these Covenanters: for the *Scots* having made their Market with the King, resolve to improve it with the Parliament, and besides their Pay, or Wages of Iniquity, will have the Covenant and Kirk-Government imposed upon the *English* as well as *Scots* Nation; and tho the King's Letters were signed by 19 Lords, the *Scots* ordered them to be burnt by the common Hangman; and in order hereunto, General *Lesley*, now Earl of *Leven*, upon the 16th of *January* enters into *England* again, with an Army of above 20000 *Scots*. The King, to add Reputation to his Arms, summoned the Members of Parliament which followed him, to meet at *Oxford* upon the 22d of *January*, where they voted the coming of the *Scots* to be Treason and Rebellion: but because they would not come up to the King's Desire, in Voting the Members at *Westminster* to be no Parliament, the King, in great Displeasure with them, and in his Letters to the Queen, calls them his mungrel Parliament; such was the Kindness the King shewed those Noble Lords and Gentry for sacrificing their Lives and Fortunes for his Service. And to oppose the *Scots*, the King makes a Cessation of Arms with the *Irish*, and draws back into *England* the *English* which he sent to oppose the *Irish*; but these were every where beaten, 1500 of them cast away by Sea, and the greatest Body of them commanded by Sir *Michael Ernley*, Major General *Gibson*, Sir *Francis Boteler*, and Colonel *Monk* (who shall unravel all the Parliament and *Scots* were now weaving) were totally routed and dispersed by Sir *Thomas Fairfax*, joining with Sir *William Breveton* near *Nantwich*; and all these, with Colonel *Gibs*, *Harmon*, Sir *Ralph Dawns*, with 14 Captains, 26 Ensigns, and other inferiour Officers, and 1500 common Soldiers, taken Prisoners,

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Prisoners, with the loss of their Cannon and Baggage : So that, as Serjeant *Whitlock* observes, f. 79. a. these *Irish* never did the King any considerable Service. But to sweeten this, Prince *Rupert* at the close of this Year beat Sir *John Meldrum* a *Scot*, who besieged *Newark*, and his Army surrendered up their Arms : Upon which the Parliament-Garisons in *Gainsborow*, *Lincoln*, and *Sleford*, quitted these Places to the King's Forces. And here we will end the Year 1643. and take notice how Mr. Serjeant *Whitlock*, f. 64. b. errs in point of Time, where he says the *Scots* passed the *Tyne* in 1642, under General *Lesley* to assist the Parliament; and f. 67. a. he says, the Queen was brought to Bed at *Exeter* of the Princess *Henrietta Maria*, (which for ought appears, was before the Queen landed from *Holland*) for she was born the 20th of June 1644. See Sir *Rich. Baker's* Hist. f. 434. a.

Anno Reg. 20. Dom. 1644.

The Wonders which succeeded these two Years in *England* will better appear if a View be taken of the present Posture of Affairs, as they stood in the beginning of this Year : *England* and *Scotland* are united in one *Solemn League and Covenant*; in *January* last, *Lesley* (or *Leven*) enter'd *England* with an Army of 18000 Foot, and 3500 Horse and Dragoons, and soon after the Earl of *Calendar* enter'd *England* with an Army of 10000 *Scots* more; these commanded by old and experienced Officers; and the *English* Parliament's Armies were commanded by as brave and resolute Commanders as were to be found in *Europe*: The Fleet wholly at the Parliament's Devotion, and so was the City of *London*. So that if you look upon the Superstructure, nothing could appear more strong and lasting.

And all this time you hear little of *Oliver Cromwel*, more than that he was a Captain of Horse, and being of a bold and active Spirit, secured the Town of *Cambridg* for the Parliament, and was very diligent in obstructing several Levies for the King in *Cambridgshire*, *Effex*, *Suffolk* and *Norfolk*: For these Services he had a Commission to be a Colonel of Horse, and having an insinuating and canting way of preaching, and seeming very Godly, raised such a Regiment of Horse as was no where to be found; the Riders, spirited with Zeal to the Cause, yet not of the *Scots* mode: and to secure them without, *Oliver* took care to provide them able Horses, and to be well arm'd and accoutred; so as every one of them, beside Sword and Pistol, had Pot, Back and Breast, Musquet-proof.

He was Nephew to Sir *Oliver Cromwel*, who had a very great Estate, but his Father being a younger Brother, had not above 300 l. per Annum, as was said. Their Name originally was not
Cromwel,

Cromwel, but *Williams*, and the Name of *Cromwel* was by this Accident: When *Cromwel* Earl of *Essex* fell, in the Reign of *Hen.8.* he had *Cromwel's* Ancestor in his Service, who was a Person of lively Parts, and industrious in Business, which *Hen.8.* observing, took him into his Service, but upon all occasions call'd him *Cromwel*; and the King being ask'd the Reason, answer'd, *He call'd him so in Cromwel's time, and would continue to call him so still*; and this continued down to Sir *Oliver's*, and our *Cromwel's* time.

Our *Oliver* being of a turbulent and aspiring Disposition, his Father's contracted Fortunes could not support his Extravagancies, whereby he was like to have fallen into those Troubles which usually attend such Follies; and to prevent them he sets up for *New-England*, where he becomes a most zealous Promoter of their Cause: But this could not long continue him there; for in their first planting themselves they were poor, so as he could not find Means and Opportunity to support his Extravagancies, and so back he came again into *England*.

About the Year 1638, the Undertakers to drain the Fen-Lands in *Lincolnshire* and the Isle of *Ely*, set up; this Undertaking was mainly opposed by the Town of *Cambridg*, fearing it would spoil their Navigation between *Cambridg* and *Lyn-Regis*, whence *Cambridg* was supplied with Sea-Coal, Wine and other Provisions.

When the Writs were issued out for calling the second Parliament in 1640, *Oliver* sets up to be chosen Burges for the Town of *Cambridg*, assuring them that if he were chosen, he would make it his Business to overthrow the Project of draining the Fens. But tho by this Project he got to be chosen, yet after he became Protector he most industriously promoted the Project of draining the Fens.

But tho *Cromwel* was of a turbulent and aspiring Spirit, yet before the Civil Wars broke out in *England*, he was not conversant in any Military Discipline, nor indeed of any other Learning, or just or lawful Calling: His Person was of a robust and coarse Complexion, his Face red, so was his Nose, (I fancy like the Roman General *Sylla's*) great and straked with blew Veins. In promoting his Cause and Interest he was most industrious and indefatigable: These Qualities were observed and feared by some both of the King's and Parliament's Party, before they came to be publickly known and put in Execution. I'll give an Instance or two hereof.

When the King summoned the Members of Parliament of his Party to meet at *Oxford* in *January* last, *Williams* Arch-bishop of *York* was likewise summoned, with whom the King privately consulted what Course was best to be taken in the present Circumstances of his Affairs: the Arch-bishop advised him by all means to come to an Agreement with the Parliament; for since the *Scots* were come

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come into *England* in such numerous Armies, and the *English* of the Parliament's Party in these two last Years having acquired a Military Knowledge, it would in all appearance be impossible for the King long to withstand their Forces; but above all, he advised the King to get *Cromwel* over to his side, if possible; otherways to take him off by any means, or he would be the King's Ruin; as you may read more at large in the second Part of the Bishop of *Litchfield's* Life of *Williams*.

Nor was *Cromwel* less terrible to the Earl of *Essex*, and the *Scots* Commissioners, than to the King's Party; so that one Evening the Earl and several of his Confidants, viz. Mr. *Hollis*, Sir *Philip Stapleton* and Sir *John Meyrick*, and others, with the *Scots* Commissioners, were in Consultation how to get rid of *Cromwel*, and sent to Serjeant *Whitlock* and *Maynard* about it, who came, and *Essex* told them, that he sent for them to have their Advice and Counsel upon a Matter of great Importance concerning both Kingdoms; in which the Lords Commissioners of *Scotland* are concerned for their Kingdom, as we for ours, and they as well as we know your Abilities and Integrity, and are desirous of your Counsel in this great Business; which both the Serjeants promised faithfully to give. But here take notice, That as the *English* Parliament call'd those who were opposite to them *Malignants*, so the *Scots* call'd those opposite to them *Incendiaries*.

At the Desire of *Essex*, the Chancellor of *Scotland* (*Lowden*) spake as followeth.

Mr. *Maynard* and Mr. *Whitlock*;

I Can assure you of the great Opinion both my Brethren and self have of your Worth and Abilities, else we should not have desired this Meeting with you: And since it is his Excellency's (*Essex* his) Pleasure, that I should acquaint you with the Matter upon which your Counsel is desired, I shall obey his Commands, and briefly recite the Business to you.

You ken very weele that Gen. Lieutenant *Cromwel* is no Friend of ours; and since the Advance of our Army into *England*, he has used all under-hand and cunning Means to take off from our Honour, and the Merits of this Kingdom, an evil Requital of all our Hazards and Services; but so it is, and we are nevertheless fully satisfied of the Affections and Gratitude of the good People of the Nation in general.

It is thought requisite for us, and for carrying on the Cause of the two Kingdoms, that this Obstacle or Remora be removed out of the way, whom we foresee will be no small Impediment to us in the good Design we have undertaken.

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He not only is no Friend to us and the Government of our Church, but he is also no well-willer to his Excellency, whom you and we have all Cause to love and honour; and if he be permitted to go on this way, it may, I fear, endanger the whole Business; therefore we are to advise of some Course to be taken for Prevention of this Mischief.

You ken verry weele the Accord betwixt the twa Nations, and the Union by the solemn League and Covenant; and if any be an Incendiary between the twa Nations, how he is to be proceeded against. Now the Matter is wherein we desire your Opinions, what you take the meaning of the Word Incendiary to be, and whether the Lieutenant General be not sike an Incendiary, as is meant thereby; and whilk Way wad be best to proceed against him, if he be proved sike an Incendiary, and that we may clepe his Wings from soaring to the Prejudice of our Case.

Now you may ken, That by our Law in Scotland, we clepe him an Incendiary, wha kindleth Coals of Contention, and raiseth Differences in the State, to the Publick Damage; and he is Tanquam Publicus Hostis Patriæ. Whether your Law be the same or not, you ken best, who are mickle learned therein, and therefore we desire your Judgment in these Points.

Mr. Whitlock answered first, and after a short Preface said, The Sense of the Word Incendiary is the same with us as your Lordship has expressed to be by the Law of Scotland, One that raiseth the Fire of Contention in a State, that kindleth burning hot Flames of Contention; and so it is taken in the Accord of the two Kingdoms.

Whether Lieutenant Gen. Cromwel be such an Incendiary between the two Kingdoms as is meant by this Word, cannot be known but by Proofs of his particular Words and Actions, tending to the kindling of this Fire of Contention between the two Nations, and the raising of Difference between us.

If it do not appear by Proofs he has done this, he is not an Incendiary; but if it can be made out by Proofs, that he hath done this, then he is an Incendiary, and to be proceeded against for it by the Parliament, upon his being thus accused for those things.

This I take for a Ground, That my Lord General and Lords Commissioners of Scotland, being of so great Honour and Authority as you are, must not appear in any Business, especially of an Accusation, but such as you shall see before-hand clearly will be made out, and be brought to the Effect intended.

Otherwise for such Persons as you are, to begin a Business of this Weight, and not to have it so prepared before-hand as to be certain to carry it, but to be put to a doubtful Trial, in case it should not succeed as you expect, but that you should be foiled in it, it would reflect upon your great Honours and Wisdom.

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Next, As to the Person who is to be accused as an *Incendiary*, it will be fit, in my humble Opinion, to consider his present Condition, and Parts, and Interest, wherein Mr. *Maynard* and my self by our constant Attendance in the House of Commons, are the more capable to give an Account to your Lordships; and for his Interest in the Army, some Honourable Persons here present, his Excellency's Officers, are best able to inform your Lordships.

I take Lieutenant General *Cromwel* to be a Gentleman of Quick and Subtile Parts, and one who hath, especially of late, gained no small Interest in the House of Commons, nor is he wanting of Friends in the House of Lords, nor of Ability in himself to manage his own Part or Defence to the best Advantage.

If this be so (my Lords) it will be more requisite to be well prepared against him, before he be brought upon the Stage, lest the Issue of the Business be not answerable to your Expectations.

I have not yet heard any Particulars mentioned by his Excellency, nor by my Lord Chancellor, or any other; nor do I know any in my private Observations, which will amount to a clear Proof of such Matters as will satisfy the House of Commons, in the Case of Lieut. Gen. *Cromwel* (and according to our Law, and the Course of Proceedings in our Parliament) that he is an *Incendiary*, and to be punished accordingly.

However, I apprehend it to be doubtful, and therefore cannot advise at this time he should be accused for an *Incendiary*, but rather that Direction may be given to collect such particular Passages relating to him, by which your Lordships may judg whether they will amount to prove him an *Incendiary*, or not.

And this being done, we may again wait on your Excellence, if you please, and upon View of those Proofs we shall be better able to advise, and your Lordships to judg what will be fit to be done in this Matter.

Mr. *Maynard* agreed with Mr. *Whitlock* in every Particular, and only varied that the Word *Incendiary* is not much conversant in our Law, nor often met with in our Books; but more a Term of Civil Law and of State, and so to be considered in this Case.

Mr. *Hollis*, and Sir *Philip Stapleton*, and others spake smartly to the Business, and mentioned some particular Passages and Words of *Cromwel*, to prove him an *Incendiary*; and that he had not that Interest in the House of Commons as was supposed, and would willingly have been upon the Accusation of him: but the Scots Commissioners were not so forward to join with them in it. So *Cromwel* escaped. But so did not Mr. *Hollis* and Sir *Philip*, about two Years after, upon *Cromwel*'s Accusation of them.

If it be so strange that *Cromwel* so bred, and having no Correspondence abroad or at home, should in two Years time get such an Ascendant over the Parliament's Army in *England*, so commanded and disciplin'd as aforesaid ; it will appear more admirable by what mean Persons he chiefly atchieved it, as by *Pride, Whalley, Hewson, Harrison, Goff, Ven, Barkstead, Cobbet, Okey, &c.* broken Citizens, and not before acquainted with any Military Discipline.

But while this Canker-Worm was breeding in the Bowels of the Parliament and Army, the Winds of adverse Fortune blew almost constantly in the Face of the King's Affairs ; and to tell particularly of all the Battels, Sieges and Rencontres which happened in *England* in these two next Years, would swell this Story to a much greater Bulk than I design : You may read them at large in Mr. *Whitlock's Memoirs*, and Sir *Richard Baker's History of Charles the First* : And to say nothing of it, would be a Gap in this Treatise, which would interrupt the Design of it.

Upon the 25th of *March*, the King's Army, commanded by Gen. *Forth* and Sir *Ralph Hopton*, was totally routed near *Winchester*, by Sir *William Waller*, Sir *William Balfour*, and Sir *Arthur Haslerig* (and 'twas observed that two *Irish* Regiments which served the King in this Fight, were the first which broke and run away :) And soon after Captain *Swanley* secured *Milford-Haven*, *Haverford-West*, and all *Pembrook-shire*, for the Parliament : And upon the 11th of *April*, my Lord *Fairfax*, and his Son Sir *Thomas*, took *Selby* in *Yorkshire* by Storm, and in it Col. *Bellasis* Governour, with most of the other Officers, and 1600 Common Soldiers, with all their Guns, Arms and Ammunition.

To qualify these Losses in some measure, the King about the latter End of *June*, fights *Waller* at *Cropredy-Bridge*, and routs him, kills 300 of his Men, and *Weems* General of the Ordnance was taken Prisoner, with two Lieutenant-Colonels, three Captains, and several other Officers, and 180 Common Soldiers, with 14 pieces of Cannon.

This small Victory bore no Proportion to the irreparable Loss the King sustained in the *North* : for *York* being besieged by the United Forces of *Manchester*, both the *Fairfaxes*, Father and Son, and *Leven* (or *Lesley*) General of the *Scots* ; Prince *Rupert* with all the Powers he could raise, marched to the Relief of it, after he had relieved *Latham-House* in *Lancashire*, bravely defended by the Countess of *Darby*. The Parliament Forces hereupon raised their Siege, and the Prince fetching a Compass about, relieved *York*, and joined with the Marquess of *Newcastle*, so as the Prince's Army was 27000 strong ; with which he marched to *Marston-Moor*, whither the Parliament's Army was marched before ; and upon the third of *July*, both Armies fought, and the Prince with the Left Wing charged the Parliament's Right Wing, and routed and pursued

pursued them a great Way ; so did General *Goring*, Sir *Charles Lucas*, and Major General *Porter*, rout the main Body of the Parliament's Army ; so that all the three Parliament Generals, *Fairfax*, *Manchester* and *Lesley* gave all for lost.

But the Prince, as he did before at *Edghill*, pursuing the Enemy too far, gave an Opportunity to Sir *Thomas Fairfax* to rally his Men, and joining with *Cromwel*'s Regiment of Lobsters, armed with Pot Back and Brest, fell upon the Right Wing of the King's Army, and routed them, and also the rest of the King's Foot, destitute of Horse, and obtain'd a compleat Victory. In this Fight above 7000 were slain, 3000 of the King's part taken Prisoners, and 25 Ordnance, 47 Colours, 10000 Arms, two Waggonen laden with Carabines and Pistols, 130 Barrels of Powder, with all the Bag and Baggage.

After this the Parliament's Generals returned to the Siege of *Tork*, and summoned it, which was delivered up to them by Sir *Thomas Glenham*, and the Marquess of *Newcastle* went beyond Sea. Thus was all the *North* reduced to the Parliament by the fatal Rashness of the Prince, who might have avoided the Fight, and joined with the Marquess of *Montroß* and Col. *Clavering*, who were with 6000 Foot within two Days march of him.

The *North* thus subdued, upon the Matter, *Essex* by the Perswasion of my Lord *Roberts*, marches into the *West*, but a different Fate attended him : For the King followed him, and joining with Prince *Maurice*, followed *Essex* into *Cornwal*, where he block'd up all the Avenues, so as *Essex* must either fight or be starv'd ; but in regard that the King had possess'd himself of all the Passages, *Essex* could not fight without an apparent Hazard of the Loss of his Army ; However, Sir *William Balfour* with 2300 Horse, brake through the King's Army, and got to *Salt-Ash*, and from thence to *Plimouth*, which held for the Parliament.

Now were the Parliament's Foot in a wretched State, the King closely pursuing them, and the Countrey People rising upon them : Hereupon *Essex* deserts them, and with divers of his Officers by Sea got to *Plimouth*, leaving *Skippon* to take care of the rest ; who upon the 2d of September capitulated, to deliver up to the King all their Artillery, with all the Bag and Baggage ; no Person under a Corporal to wear any kind of Weapon ; all Officers above, to wear only Sword and Pistol. And so *Skippon* marched to *Pool*, which was in the Parliament's Power.

The Ill Success of *Essex* in this Expedition, was the Cause of *Essex* his Fall, (tho the Parliament at present seem'd to be otherwise dispos'd) and of the Rise of *Cromwel*, as we shall observe.

Whilst these things were doing in the *North* and *West*, other Actions of less Consequence happened. Sir *Thomas Middleton* ha-

ving taken *Mountgomery-Castle*, the King's Forces advanced in a much greater Body to retake it; whereupon Sir *Thomas* retreated: But being joined with Sir *William Breton*, Sir *John Meldrum* (a *Scot*) and Sir *William Fairfax*, returned and charged the King's Party, and took Prisoner M. G. *Broughton*, Lt. Col. *Bludwel*, M. *Williams*, nine Captains, many inferiour Officers, and 1500 common Soldiers: Of the Parliament's Party Sir *William Fairfax* was slain with Eleven Wounds, Maj. *Fitz-Symons*, and about 40 Souldiers, and 60 wounded. *Monmouth Town* and *Castle* were surprized by *Massey*, with the Loss only of Six Men. Lieut. Gen. *Lesley* in the *North*, fell upon the Forces commanded by Sir *Philip Musgrave*, kill'd divers upon the Place, and took 100 Prisoners. My Lord *Herbert*, Son of the Earl of *Worcester*, was beaten by *Massey*, who killed 50, and took 60 Prisoners; and *Massey* fell upon a Party of the King's near *Beachy*, killed 70, and took 170 Prisoners: and Col. *Charles Fleetwood* took two Troops of the King's Horse near *Belvoir Castle*.

From these lesser Actions we now advance to tell of Greater: The Parliament's Army every where victorious in the *North*, *Lesley* had now an Opportunity to return to *New-Castle*, which he summoned to yield, which being refused, he stormed and took it by Force; whereupon Sir *John Marlay* the Mayor, and others, fled to the *Castle*, and would have capitulated, but were denied, and so were forced to surrender at Discretion.

But how successful soever the Parliament's Forces were in the *North* after the Fight at *Marston-Moor*, the King reaped but little after the Parliament's Foot had delivered up their Arms in the *West*; for *Essex* having joined *Manchester* and *Waller*, resolved to hinder the King's Return to *Oxford*, and upon the 23d of *October* rendezvouz'd the Army at *Aldermaston-Park*, and next Night privately pass'd the Water at a Ford near *Padworth*, and next Morning to *Bucklebury-Heath* near *Newberry*, where the King then was; and about 12 a Clock drew down their whole Army between *Thatcham* and *Shaw*, and skirmished with the King's Horse; *Manchester's* Troops and the *London Train'd-Bands* crossed the River *Kennet* between *Newberry* and the Hill, and forced the King's Party which kept the Pass from thence, with some Execution; but Sir *Bernard Astley* (Son of Sir *Jacob* or the Lord *Astley*) coming to their Rescue, forced the Parliamentarians back again.

In the Afternoon 4000 of *Essex* and *Waller's* Horse and Dragoons, with 500 Foot, charged the King's Forces on the *West* of *Newberry*, and forced them to retreat in some Disorder, and some of the King's Field-Pieces were taken; *Essex* followed the Success, and charged the King's Life-Guard, whom he overpowered, and had much more undamaged, if the Lord *Bernard Stuart* had not come

come to their Assistance, and secured their Retreat: but the Parliamentarians every way advancing, beat the King's Army out of the Field, with the Loss of many Colours, and two Pieces of Cannon. Sir *Anthony St. Leger*, Lieutenant-Colonel *Leak*, Lieutenant-Colonel *Topping*, and Captain *Catchlyne* (elder Brother of Sir *Nevil Catchlyne*, my worthy Friend) were killed; and the Earl of *Cleveland*, and some few others, taken Prisoners.

If the King's Affairs succeeded so ill in the *West*, they did worse in the *North*; for *Liverpool* submitted to the Parliament, and *Lesley* had *Tinmouth-Castle* (a Place which hereafter he shall be better acquainted with, tho not in the Quality of a General of an Army, but a Prisoner) surrender'd upon Articles.

After this, *Janus's Temple* was shut this Year, if you begin it at *January*. And now a *Treaty of Peace* at *Uxbridg* is set on foot at the Desire of the King; but no Success attended it.

This Year, tho the Princes *Rupert* and *Maurice* followed the King in his Wars against the Parliament, yet the Elector *Palatine*, *Frederick*, their elder Brother, petitioned the Parliament that he might come over, and take the Covenant; which tho at first they refused, yet afterwards they admitted him, and allowed him 8000 *l. per Annum* out of my Lord *Petres* and other Delinquents Estates: and so he continued till after the Treaty at *Manster* 1642, where he led a Life not becoming a Prince in Adversity.

The Treaty of Peace at *Uxbridg* not succeeding, the Parliament took the Town of *Shrewsbury*, which, as it is one of the most famous of all the Towns of *England*, so it stop't, on that part, the Entercourse of *Wales* with the Counties of *Salop*, *Chester*, and *Worcester*.

But to throw a little Water into the Wine of the Parliament's Successes, Sir *Marmaduke Langdale*, about the Beginning of *March*, routed a great Body of the Parliamentarians in *Yorkshire*, and defeated the Army commanded by my Lord *Fairfax*, which besieg'd *Pomfret-Castle*; and from thence marched into *Leicestershire*, and defeated a great Body of the Parliament's Forces commanded by Colonel *Rossiter*.

Anno Reg. 21. Dom. 1645.

We begin this Year with the *Self-denying Ordinance*, (tho Mr. *Whitlock* and Sir *Richard Baker* differ a little in point of time, Sir *Richard Baker* says it was this Year, Mr. *Whitlock* 1644.) But the Lords refused to concur with the Commons herein; so as this Ordinance began with a Rupture between the two Houses, so you'll see it shall be the Ruin of the Parliament's, as well as the King's Designs.

Mr. *Whitlock* made a fine and learned Speech against this Ordinance, which you may read at large fol. 114, 115. of his *Memoirs*. The pretended Reason for this Ordinance was, the Thinness of the House, which by Employment in the War, would render them much thinner : To which Mr. *Whitlock* answered, *It might be supplied by filling up the Commons by new Elections.*

He objected against the Ordinance, the Examples of the *Grecians* and *Romans*, who had the greatest Offices both of War and Peace conferred upon their Senators ; because they having greater Interests than others, were more capable to do them the greatest Services : and that by passing this Ordinance, they would lay aside the General *Essex*, the Earls of *Warwick*, *Denbigh*, and *Manchester*, the Lords *Willoughby* and *Roberts* ; and of their own Members, the Lords *Grey* (of *Growby*) and *Fairfax*, Sir *William Waller*, *Cromwel*, Mr. *Hollis*, Sir *Philip Stapleton*, Sir *William Breerton*, and Sir *John Meyrick*.

Tho the Commons passed the *Self-denying Ordinance*, yet they dispensed with it in reference to *Cromwel*, *Skippon*, and *Ireton*, and Sir *William Waller*. Hereupon the Earls of *Essex*, *Denbigh*, and *Manchester*, lay down their Commissions. Here it's observable, That the Earl of *Essex*, as he was the first which headed an Army against the King, and whose Authority was so great, that 'twas believed if he had not done it, the Parliament could not have rais'd an Army, is now the first discarded by the Commons, without giving any Reason.

In this new Establishment of the *English Army*, Sir *Thomas Fairfax* was made General, *Cromwel* Lieutenant-General, and *Skippon* Major-General. The Royalists conceived Mountains of Advantages to follow (and that not improbably) from the Divisions in the Parliament's Army, which succeeded quite contrary.

For upon the 3d of April, *Fairfax* having gathered his Army together at *Windjor*, sent *Cromwel* with a Brigade of Horse and Dragoons, to intercept a Convoy of Horse which Prince *Rupert* had sent from *Worcester* to fetch off the King from *Oxford*, with a Train of Artillery to take the Field ; which *Cromwel* met at *Islip*, and routed them, took divers Prisoners, and 200 Horse : and from thence *Cromwel* march'd and took *Bletchington-House*, commanded by Colonel *Windebank* (Sir *Francis's* own Son) by Surrender upon the first Summons ; for which *Windebank* was sentenced by a Court-Martial, and shot to Death. But *Cromwel* had not so good Success at *Faringdon*, which he assaulted, and was beaten off, with the loss of 200 of his Men.

The King understanding that *Fairfax* had a Design to besiege *Oxford*, sent to Prince *Rupert* and General *Goring* to fetch him off, which they did about the beginning of May ; and the King march'd towards the Relief of *Chester*, then besieged by the Parliament's Forces : and *Fairfax* lays close Siege to *Oxford*. The

The King relieved *Chester*; and in his Return, takes *Leicester* by Storm: This put *Fairfax* to his Trumps, so that if he continued the Siege of *Oxford*, he would leave all the mid-land parts of *England* to the Mercy of the King. So he raises his Siege, and marches to fight the King's Army.

My Lord *Astley* was Lieutenant-General of the King's Foor, whose Nephew was Sir *Iaac Astley*, my Lord's eldest Brother's eldest Son, who married a Cousin-German of mine; and after the War was over, my Lord *Astley* being at his Nephew's, in Discourse of the Wars, my Lord told him, That upon the Approach of the Parliament's Army, the King called a Council of War, where by the Advice of my Lord *Astley* it was resolved to march Northwards, and destroy the Country Provisions, and leave the Parliament's Army at their Election, whether they would follow the King, or besiege *Leicester*: But next Morning, quite contrary to the Order of Council, Orders were given to prepare to fight the Parliament's Army, when there was little time to draw up the Army; so inconstant and irresolute was the King in this, as of almost all his other Actions; and so forward was the King herein, that he marched to meet *Fairfax's* Army near *Naseby* in *Northamptonshire*. This was upon *Saturday, June the 14th*.

And if the Resolution to fight was inconsiderate and rash, so was the Fight; for Prince *Rupert*, who commanded the right Wing of the King's Horse, charged the left Wing of the Parliament's, commanded by *Ireton*, and routed them, and wounded *Ireton* in the Thigh; and as before, at *Edg-hill* and *Marston-Moor*, he pursued the Enemy so far, that he left the rest of the Army exposed to the Assaults of the Enemy; so here he followed the Chase almost to *Naseby*, leaving the left Wing of the King's Army commanded by Sir *Marmaduke Langdale*, open, to be charged by *Cromwel*.

That which completed the Parliament's Victory, and the King's utter Overthrow in this Fight, was, the not observing the Orders the Day before, of the King's Retreat; for *Yorkshire* being oppressed by the Parliament's Forces, Sir *Marmaduke* had Expectation of relieving the King's Party there, which being cross'd by the Resolution of this Day's Fight, his Brigade, as well as himself, grew discontented; so as he no ways answered the Gallant Actions which before he had achieved: And *Cromwel* having forced Sir *Marmaduke* to retreat, joining with *Fairfax*, charged the King's Foot (who had beaten the Parliament's, and got Possession of their Ordnance, and thought themselves certain of the Victory) but being in Confusion and out of Order, and having no Horse to support them, were easily over-born by *Fairfax* and *Cromwel*; and so *Fairfax's* Army obtain'd a most absolute Victory over the King's.

We hear no more of Prince *Rupert* in this Fight, who, 'twas believed, was the first Mover of it, till of his Arrival at *Bristol*.

In this Fight, the Earl of *Lindsey*, the Lord *Astley*, and Colonel *Ruffel*, were wounded, and 20 Colonels, Knights, and Officers of Note, and 600 common Soldiers, were slain on the King's side; and 6 Colonels and Lieutenant-Colonels, 18 Majors, 70 Captains, 80 Lieutenants, 200 Ensigns and other Officers, and 4500 common Soldiers, were taken Prisoners; 12 Pieces of Cannon, 8000 Arms, 40 Barrels of Powder, 200 Carriages, with all their Bag and Baggage, with store of rich Pillage, 3000 Horse, one of the King's Coaches, with his Cabinets of Letters and Papers: And the King fled towards *Wales*.

If the King were unfortunate in the Success of this Fight, he was not less in the Discovery of his secret Counsels with the Queen, which were so contrary to those he declared to the Kingdom; for in his Letter to the Queen, he declared his Intention to make Peace with the Irish, and to have 40000 of them over into England to prosecute the War here. And in others he complained, he could not prevail with his Mungrel Parliament at Oxford, to Vote that the Parliament of Westminster were not a Lawful Parliament: So little Thanks had these Noble Lords and Gentlemen for their exposing their Lives and Fortunes in Defence of the King in his Adversity. What then might they expect, if he should prevail by Conquest? That he would not make a Peace with the Rebels (the Parliament) without her Approbation, nor go one jot from the Paper she sent him: That in the Treaty at *Uxbridg*, he did not positively own the Parliament, it being otherwise to be construed, tho they were so simple as not to find it out: and that it was recorded in the Notes of the King's Council, that he did not acknowledge them a Parliament. See *Whitlock's Memoirs*, fol. 147. a.

The Members having got these Papers, not only printed and published them, but order'd them to be kept upon Record; and also made a publick Declaration of them, wherein they shew what the Nobility and Gentry which follow'd the King might trust to.

The King's Army being overthrown, the Parliament had two Armies, and the King none, but that which was commanded by General *Goring*, which at that time besieg'd *Taunton*, and sore distressed it; but it being governed by *Blake* (after the famous Admiral for the *Rump* and *Cromwel* by Sea) it made indeed a wonderful Resistance. And now you'll see the King's Garisons surrender by heaps.

For, two Days after the Fight at *Naseby*, viz. June 14. *Fairfax* sat down before *Leicester*, where my Lord *Loughborough* was Governour, and made a large Breach towards *Newark*; whereupon the Governour surrendered it.

After

After the Surrender of *York*, the Year before, the King made that noble Gentleman, *Sir Thomas Glenham*, Governour of *Carlisle*, which he defended till the Garison were forced to eat Horse-flesh: And the Town being besieged by the *English* and *Scots*, *Sir Thomas*, to throw a Bone of Dissension between them, deliver'd it up to the *Scots*, about a Week after the Surrender of *Leicester*.

From *Leicester*, *Fairfax* marches to the Relief of *Taunton*; whereupon *Goring* drew off, and retreated to *Langport*, where *Fairfax* routed *Goring*, kill'd 200 of his Men, took 1400 Prisoners, and pursued the rest to *Bridgwater*, which *Fairfax* besieg'd, and had it surrender'd upon the 23^d of *July*.

And about that time, *Pontfract* Castle in *Yorkshire* surrender'd to *M. G. Pointz*; and upon the 25th of *July*, *Sir Hugh Cholmly* surrender'd *Scarborough* Castle to *Sir Matthew Boynton*; and upon the 11th of *September*, *Fairfax* storm'd *Bristol*, and *Prince Rupert* surrender'd the Castle upon Terms.

Tho the City of *Hereford* bravely defended it self against *General Lesley*, and his *Scots*, from the 13th of *July* to the 1st of *September*, and then forced *Lesley* to raise the Siege, upon pretence of relieving his own Country, then over-run by the Marquess of *Montroß*; yet it was soon after surpris'd by *Colonel Birch* and *Colonel Morgan*.

Nor were the King's Forces in the Field more fortunate than those in Garison; for the King having got together a Body of about 5000 Men, most *Welch*, marched towards the Relief of *Chester*, then besieged by *Sir William Brereton*, and *Colonel Jones*; but in his March, he was fought by *General Pointz* at *Routon-Moor*, within two Miles of *Chester*, where the King was worsted, and the *Lord Bernard Stewart* (Brother to the Duke of *Richmond*) kill'd.

The King's Affairs being thus desperate in *England*, all the Hopes now were of *Scotland*, where *Montroß* had conquer'd it from one End to the other, and had no visible Army to oppose him; and the King, to make *Scotland* secure, commanded my *Lord Digby* and *Sir Marmaduke Langdale*, to join *Montroß* with their Horse: in pursuance whereof, they marched to *Sherborn* in *Yorkshire*, where they surpris'd 700 of the Parliament's Foot, with their Arms and Baggage; but staying for Carriages, *Col. Copley*, *Lilbourn*, and *Alured*, fell upon them, and routed them, killing and taking 100 Officers, 300 Soldiers, and 600 Horse, with their Furniture, and my *Lord Digby's* Coach: And my *Lord Digby* marching on with the rest of his Forces, was set upon at *Carlisle Sands*, and utterly defeated; from whence my *Lord* and *Langdale* escaped to the *Isle of Man*, and after into *Ireland*.

From *Routon-Moor*, the King got to *Newark*, where *Major-General Gervard* charged the *Lord Digby*, lately defeated at *Sherborn*,

born, with Treason : Prince *Rupert*, and *Maurice*, the Lord *Hawley*, and Sir *Richard Willis* the Governour, sided with *Gerrard* ; and the Lord *Bellasis*, and many others, with *Digby* ; and so did the King, who displaced *Willis*, and made the Lord *Bellasis* Governour. This caused great Dissension, not only in the Garison, but in the Officers of the Army which the King brought with him ; so that the Princes *Rupert* and *Maurice*, General *Gerrard*, my Lord *Hawley*, and *Willis*, forsook the King, and sent to the Parliament for Passes to go beyond Sea.

In this forlorn state the King left *Newark*, and with 300 Horse got safe to *Oxford*, where the Princes *Rupert* and *Maurice* (not knowing whither else to go) came, and were seemingly reconciled to him ; but upon the Return of the King's Horse, *Pointz* meets and routs them. Here the King again sent to the Parliament for a *Treaty of Peace*, which was rejected upon this Occasion.

Letters were taken in my Lord *Digby's* Coach, after his Rout at *Sherborn*, and also in the Pockets of the Arch-bishop of *Tuam*, who was slain in an Overthrow of the *Irish* at *Sligo* in *Ireland* ; wherein the King offered the *Irish* a Toleration of their Religion, themselves to choose a Governour of their own, and to be entrusted with several Castles and Forts for their Caution, upon Condition that they send 10000 Men into *England*, to assist him against his Enemies. And with these, they found the Copy of the King's Commission to the Earl of *Glamorgan*, empowering him to treat with the Rebels, viz.

CHARLES, by the Grace of God, &c. To our Trusty and Well-beloved Cousin, Edward, Earl of *Glamorgan*: We reposing great and especial Trust and Confidence in your approved Wisdom and Fidelity, do, by these Presents (as firmly as under our Great Seal to all Intents and Purposes) authorize and give you Power to treat and conclude with the Confederate Roman Catholicks in our Kingdom of *Ireland* : If upon necessity any thing be condescended to wherein our Lieutenant cannot so well be seen, as not fit for us, for the present, publicly to own ; therefore We charge you to proceed, according to this our Warrant, with all possible Secrecy : and whatever you shall engage your self upon, such valuable Considerations as you in your Judgment shall deem fit, we promise, in the Word of a King and Christian, to ratifie and perform the same, of that which shall be granted by you, and under our Hand and Seal, the Confederate Catholicks having, by their Supplies, testified their Zeal to Our Service. And this shall be, in each Particular, to you a sufficient Warrant.

Given at Our Court at *Oxford*, the Twentieth Day of *May*,
20 Car.

Glamorgan

Glamorgan had brought his Business to some Issue, when State-Reasons enforced *Ormond*, and *Digby*, and the Council, to imprison him; but this gave Distaste to the *Irish*, who thereupon suspected double Dealings, and so neither sent over the promised 10000 Men, nor any Aid to *Westchester*, tho *Glamorgan* was quickly released upon the Bail of six or eight *Irish* Peers. The Parliament hereupon was so incensed, that they refused either to treat with the King, or to admit him to come to *London*, (see *Baker*, f. 473.) or this Business to end here; but rendred all the King's subsequent Treaties with the Parliament suspected, and the end of attaining the King's Propositions more difficult. And here you may see how this King would prostitute his Honour and Christianity, contrary to what he so often professed, not only to the Parliament, but also to the Duke of *Ormond*, his own Party.

Now things every where go to wreck on the King's side; *Dartmouth* was surrendered to *Fairfax*, by Sir *Hugh Pollard* the Governor; Sir *William Vaughan*, with such Forces as he could get together, marching to relieve *Chester*, was utterly routed by the Parliament's Forces, and *Chester* surrendered to Sir *Will. Breveton*; *Belvoir Castle* in *Leicestershire* (the Seat of the Earls of *Rutland*) was surrendered to General *Pointz* by Sir *Gervais Lucas* the Governor; my Lord *Hopton* is beaten by *Fairfax* in *Devonshire*, whereupon *Hopton* accepted of Terms from *Fairfax*, and disbanded his Army, and went into *France*: After which all the Garisons in *Cornwal* surrendered to *Fairfax*, except *Pendennis Castle* and *St. Michael's Mount*: *Latham-House* which the Countess of *Derby* bravely defended two Years against the Parliament, was surrendered in *December*, and *Basing-House* was taken by Storm: And that which compleated the Ruin of all the King's Affairs in *England*, was the Surprize and Defeat of my Lord *Astley* at *Donnington* near *Stow* on the *Wold*, where he was taken Prisoner the 21st of *March*; and when he was a Prisoner, he told some of the Parliament Officers, *You have done your Work, and may go play, unless you fall out among you selves.*

Anno Reg. 22. An. Dom. 1646.

In this desperate State of the King's Affairs in *England*, the King's Expectations in *Scotland* were much fallen too: For after the Defeat of my Lord *Digby* and Sir *Marmaduke Langdale*, the *Scots* had little to do in the North; so as General *Lesley* had leisure to march to *Newark* with his Foot to join M. G. *Pointz*, who had block'd it up; and *David Lesley* with the Horse to march into *Scotland*, where *Montross* his Men after he had beaten Gen. *Bailey* at *Philipshaugh*, being full of Plunder, and being a Volantier Army, and not under regular Discipline, disbanded in great Numbers and returned

returned home, when *David Lesley* set upon the Remainder and routed them, and gave Quarter to the rest, whom yet he murdered in cold Blood. Here you may see the different Tempers of the *English* and *Scots* Nation, for you find no such Acts done in *England* in the Heats of all the War.

In all the War in *Scotland* the Marquess of *Huntley* obstinately refused to join with *Montroß*; and after the Defeat of *Montroß's* Foot, *Montroß* went in Person to entreat *Huntley* to join in their common Interest against the *Kirk*, which *Huntley* not only refused, but would not deign to see *Montroß*, [yet this did *Huntley* no good, for after *Montroß's* his Army was disbanded, the *Kirk-Party* cut off his Head] so as *Montroß* was forced to retreat into the *Highlands*, and act defensively.

Exeter upon the 13th of *April* surrenders to *Fairfax*, which was followed by *Barnstable* Town and Fort, *St. Michael's Mount*, *Dunstan Castle*, *Woodstock*, and other Places of less Note.

Sir Thomas Glenham having honourably defended *York* and *Carlisle*, the King thought no other so fit to be Governour of *Oxford* as he, which being block'd up by the Parliament Forces, the King thought himself in no Security in it; for the Parliament refused to admit him to come to *London*, unless he signed their Propositions. Now the *French* Ambassador in the *Scots* Quarters advised the King to throw himself into the *Scots* Power; herein you may observe, that tho *Richlieu* were dead, yet *Mazarine* continued the Correspondence between *France* and *Scotland*, which yet were Pensioners to *France*.

This being *Hobson's Choice*, the King only accompanied by one *Hudson* a Minister, and Mr. *John Ashburnham*, throws himself into the Power of the *Scots* then besieging *Newark*, this was the fifth of *May*.

Thus this poor Prince to avoid his present Condition, seeks Protection from those which brought him into it; which tho he got nothing by it, yet the *Scots* instead of protecting him, shall only make a Bargain and Sale of him: for having him in their Power, they resolve to make a double Market of him, viz. To have him to order *Montroß* to disband his Army, and then to retire out of *Scotland*, and then to sell him to the Parliament for so much as they could get: that of *Montroß*, it was no sooner asked than granted; but soon after he was gone, the Covenanters seize *Huntley* and cut off his Head; the Parliament too desired the King to give Order for the *English* Garisons to surrender, which he granted; so here we end the Wars in *England* and *Scotland* between the King and Parliament at present. And now you'll see how the ending of these Wars was the beginning of the Ruin of the Parliament and *Scots* Covenanters; for the *Scots* having got their Ends by *Montroß's* his disbanding his Army, yet the Bargain for the Sale

Sale of the King being a mighty Matter to the *Scots*, required a longer time, and the *Scots* would not lose one *Scotish* Pound they could get for him; and therefore, tho the King put himself into the Power of the *Scots* the 5th of May 1646, yet the Bargain was not concluded till *January* following, and then the *Scots* flush of Money return home, finding all things in Peace now *Montroß* is gone; and the Parliament having bought the King, confine him to *Holdenby-House*, a House of the King's in *Northamptonshire*, under the Guard of a select Company of Covenanters, whereof Sir *John Cooke*, Secretary *Cooke's* Son, was one.

Thus this Prince, who before had shifted the worthy Members of Parliament from one Prison to another, that they might have no Benefit of their *Habeas Corpus's*, and the Constables of *Hertfordshire* from one Messenger to another, is himself shifted from one Place a Prisoner to another, without any hope of an *Habeas Corpus*: He that before, by his absolute Will and Pleasure, would without any Law seize his Subjects Goods, and commit them to Prison, cannot now enjoy his own Estate in his own House: He that before arbitrarily raised Ship-Money, has not now one Ship to command.

One would think the Covenanters had their Game sure enough, now those in *Scotland* had got rid of *Montroß*, and full of Money, and those in *England* had got the King in their Power, and the King's Army utterly subdued, and both Kingdoms united into one solemn League, and Covenant; so that both may sing their *Requiem* for many Years.

But see the Instability of Human Affairs, where they are not founded in Truth and Righteousness; for the *Scots* Directory, Catechism and Government, sorted as ill with the *English* Genius, as *Laud's* Liturgy, Canons and High Commission did with the *Scots*; and the rigid Execution of them as insolent and tyrannical, as the Proceedings in the Star-Chamber and High-Commission; and these being general, equally offended all: and tho the *Cavalier* Party being under the Hatches said little, yet the Brawls and Investives between the *Presbyterians* and other Parties, were as fierce as between the *Arminians* and *Orthodox* in *Laud's* time, so that things were not like to continue long at this rate.

The Parliament having the King now in their Power, the *Scots* gone, yet *Ireland* (I mean the *English* Interest in it) in a very deplorable State, and being apprehensive of the Temper of the Army, whose Principles were *Anti-Presbyterian*; and that they might in some measure ease the Countrey of maintaining the whole Army, resolved that 12000 of the Army should be sent over into *Ireland* to be commanded by Major General *Skippon*, and 6000 Horse, 2000 Dragoons, and 6000 Foot to be kept up in *England*, and commanded by Sir *Thomas Fairfax*.

Cromwel was aware of what the Members designed, and the Members were as jealous of *Cromwel*, and therefore would not dispense with the *Self-denying Ordinance*, that he should be in the Army; however, *Cromwel* had his Agents in it, and by the Ministers and other zealous *Independants*, foment their Jealousies, that the Parliament designed to disband them without Payment of their Arrears; and in this Ferment they chose two out of every Regiment, which they called *Adjutators*, to whom they gave Power to hold Councils, and judg what was fit to be done for the common Good.

These *Adjutators* were called *Levellers*, who cried up *Liberty*, and the *Power of the People*, and assumed to themselves a Power in their Councils above what the Colonels claimed.

The Proceedings of the *Adjutators* startled the Parliament, and in a great measure the Colonels and Officers of the Army; so that unless *Cromwel* did appear in the Army, and by his Authority did restrain the Licence which the *Adjutators* assumed, they sat very loose in their Places.

Cromwel knew this as well as they, and that the *Adjutators* struck at his Authority as well as the Officers; so that when there was a Debate in the House of Commons how to suppress the *Adjutators*, *Cromwel* professed, and called God to witness, That he was certain the Souldiers would at the first word of his Command, if he were among them, throw down their Arms at the Parliament's Feet; and solemnly swore, that he rather wished himself and his whole Family burnt, than that the Army should break out into Sedition: And the House had so little Wit as to believe him, and so sent him down to appease the Army.

Hereupon *Cromwel* order'd a general Muster of the Army upon *Hounslow-Heath*, where the Army was divided, and the *Levelling Party* refused to come under *Cromwel*'s Command; whereupon *Cromwel* sent to the *Levellers* to send some to treat of their Grievances, which they did; and when they came, *Cromwel* with an undaunted Boldness pistoll'd three of the most forward of them, and seized the rest, and then the *Levelling Part* of the Army submitted.

The *Sectaries*, of which the Army was composed, tho they had the Sword in their Hands, yet had no face of Authority to recur to, the *Presbyterian Members* in both Houses being three to one; they therefore send Cornet *Joyce* with a Party of Horse to *Holdenby*, who the 4th of June 1647, (which was in less than four Months after the Members had brought the King thither) take the King out of the Parliament-Commissioners Power, and keep him in the Army.

And now this poor Prince (for so he may be truly called, since he, who before by his absolute Will and Pleasure would take his Subjects Estates, has now no Power to get his own) is fallen into the

the Hands of another sort of Flatterers than in the former, yet these intended him no more good than the former, viz. only to gratify their Ambition, Avarice and Treachery, by making use of the King's Name.

These seem to lament the hard Conditions the Members impose upon him, not only in his Liberty, but in keeping him from his Children and Friends, and allow him both, professing they would never lay down Arms until they had put the Scepter into his Hands, and procured better Conditions for his Friends.

In order hereunto, they seem to join the King's Interest with theirs; and in their Declaration for Redress of Grievances, declare for the King and People, and that the Members prefix a certain time for their sitting, so that a new Parliament may be called, and thereby the Nation settled upon sure Foundations.

Here you may observe a new Face of the Parliament's Affairs quite inverted; for the Army were as much in love with their being so, as the Parliament was of their sitting: And now the Army, which was rais'd only to do the Parliament's Journey-work, would only allow the Members a certain time for their sitting. And because *Denzil Hollis*, *Sir Philip Stapleton*, *Sir William Lewis*, *Sir John Clotworthy*, *Sir William Waller*, *Sir John Maynard*, Major General *Massey*, Mr. *Glyn*, Colonel *Walter Long*, Colonel *Edward Harley*, and Mr. *Ant. Nichols*, were the leading Men in the House of Commons for establishing the Covenant, and disbanding the Army, the Army charge them with High-Treason; the Charge against them was Cant, after the Mode of the Times, *That they obstructed the Business of Ireland, to have acted against the Army, and against the Laws and Liberties of the Subject, and were Obstructors of Justice.*

Here you may see into what a Labyrinth of Distraktion and Confusion Men run, when they forsake the ways of Justice and Righteousness: For when Mr. *Hollis* and Colonel *Long*, & *Car.* were imprisoned for performing the Trust reposed in them by their Country, they had the Testimony of a good Conscience for their Support, and the known Laws for their Protection; and here they knew what to trust to, and so they insisted upon the Laws, and by them in due time were delivered from their Imprisonment; but now the Laws and Constitutions of the Nation were broken down, and they charged at random by the Army, they had no Defence to recur to, but for Safeguard fled beyond Sea. What became of Colonel *Long* I cannot tell, but Mr. *Hollis* never return'd till after King *Charles* the Second's Restoration; and *Sir Philip Stapleton* being suspected to have the *Plague*, was shut out of *Calais*, and 'twas said dy'd in a *Ditch*.

What Thanks now had *Sir Philip Stapleton*, *Sir William Waller*, and Major General *Massey* for all their valiant Services to the Parliament, whilst *Oliver* was whistling to his *Cambridge Teem* of Committee-

Committee-Men, a new Tune of the way of *Ordinances*, *Dispensations*, *Righteousness*, and *Providence*? and whereto can they go to find Relief?

Glyn had so little Wit, as to believe the *Law* would be his Protection, and so did abide a Trial: but he was mistaken in his Measures; for tho he defended himself with much Prudence, yet he was discharged from being a Member of the House, and committed to the Tower during their Pleasure. But the House proceeded higher against Sir *John Maynard*, and order'd an Impeachment of High Treason to be drawn up against him; and ordered *Nichols* to be taken into Custody, but he escaped from the Messenger.

The *English* Covenanters could not be so purblind, as not to see whereto this tended; and were madded that they which had begun the War, and by the Aid of their Brethren of *Scotland*, were in a fair Possibility of bringing it to their Desires against the King, should not only be outed of their conceived Glory and Reward by these Upstarts of the Army, but also the principal of them to be persecuted and destroyed for continuing firm to their Gude Cause.

The Militia of *London* was settled upon the 4th of *May*, in the Management of the *Presbyterians*, who were very industrious in compleating their Companies, both of the Trained-Bands and Militia; but this was counter to the Design of the Army, and judged to be a Conspiracy against it: whereupon *Fairfax* (who bore the Name, tho *Cromwel* rul'd all) upon the 10th of *June* sent a Letter to the Parliament, *That the Militia of the City of London might be put into the Hands of Persons that were better affected to the Army*: Which the Commons tamely submitted to; and upon the 23d of *July* repealed the Ordinance of the 4th of *May*.

Hereupon the City met in Common-Council, and resolved to petition the Commons against it, which they did; and upon the 26th, by the Sheriffs, and some of the Common-Council, delivered their Petition to the Commons: And about an Hour after, about 1000 Apprentices delivered another Petition, complaining, *That to order the City's Militia was the City's Birth-right, belonging to them by Charters confirmed in Parliament; for Defence whereof, they had adventured their Lives as far as the Army: And desired that the Militia might be put again into the same Hands in which it was put with the Parliament's and City's Consent, by the Ordinance of the 4th of May.*

Upon the reading of this Petition, the Lords revoked the Ordinance of the 23d of *July*, and renewed that of the 4th of *May*, and sent it down to the Commons for their Consent, and kept back some of the Commons, till the Members within agreed with the Lords, and then they returned: And after some time, they,

or

or some others, upon the rising of the House, took the Speaker and thrust him back into the Chair, and there kept him and the Members, till they enforced them to pass a Vote, *That the King should come to London*: And then both Houses adjourned for four Days.

In this Interval, the Members which favoured the Army, and the Speakers of both Houses, went to the Army, and there complained of the Violences upon the Parliament, tho none were done to the Lords: And after the four Days Adjournment, the Houses met, and the Lords chose my Lord *Hunsdon* their Speaker, and the Commons Mr. *Henry Pelham*, and passed these Votes:

1. *That the King should come to London.*
2. *That the Militia of London should be authorized to raise Forces for the Defence of the City.*
3. *That Power be given to the same Militia to choose a General.* And,
4. *That the 11 Members impeached by the Army should take their Seats in Parliament.*

This was upon the 30th of July.

The Citizens armed with these Powers, proceed to raise Forces under the Command of Sir *William Waller*, Major-General *Massey*, and Colonel *Pointz*; but these, tho numerous, being suddenly raised, so as the Soldiers not being well listed, 'twas like no great Opposition could be made against an old experienc'd and victorious Army: Besides, the Borough of *Southwark* were generally for the Army; and a Party of the Army seized upon the *Block-house* at *Gravesend*, and block'd up the City by Water towards the East, and the Army towards the West.

The Aldermen and Common-Council of the City now desert their three Generals, *Waller*, *Massey*, and *Pointz*, and sent to *Fairfax* for a Pacification; which he granted them upon these Terms:

1. *That they should desert the Parliament then sitting, and the 11 Members.*
2. *That they should recal their Declaration lately divulged.*
3. *That they should relinquish their present Militia.*
4. *That they should deliver up to the General, all their Forts, and the Tower of London.*
5. *That they should disband all the Forces they had lately raised, and do all things else which were necessary for the Publick Tranquillity.*

All which the City submitted to: So the Speakers and Members which had run to the Army returned again, and annulled all the Acts and Orders which had passed since the 26th of July last.

Here observe, That the Members which did not run to the Army, but met in Time and Place according to that Adjournment, were as much a Parliament, as those which continued at *Westminster* after the King left them; and the Members which met at *Oxford* were as much a Parliament as those which met after they were restored by the Army.

When the Members were returned, the Commons voted an Impeachment of High Treason against the Earls of *Suffolk*, *Lincoln*, and *Middlesex*, and the Lords *Berkley*, *Hunsdon*, *Willoughby* of *Parham*, and *Maynard*; such a Stalking-Horse was Treason now made, and the Crime no more than what themselves had done after the King left them. And Sir *John Gage*, the Lord-Mayor, Alderman *Bunce*, *Langham*, *Cullam*, and *Adams*, were committed to the Tower for High-Treason, for Forcing the Parliament. But if this were Treason in them, before the next Year goes round you'll see *Cromwel* out-treason this a Bar and half. And as Sir *Phil. Gurney*, Sir *Henry Garway*, and Sir *George Whitmore*, were committed to the Tower for adhering to the King against the Parliament; so now the Mayor and Aldermen were committed to the Tower for adhering to the Parliament against the Army.

During these Discords and Confusions, the Scots were in great Grumble, that the Work of Reformation, which united both Kingdoms in Adherence to their Solemn League and Covenant, was in danger to be overthrown by the over-spreading of Heresy and Schism; which was so much more lamented, by how much after their Bargain and Sale of the King, both Houses voted, *That if the King refused to pass Propositions for Peace, they will do nothing which may break the Union and Affection of both Kingdoms, but to preserve the same.* This was the 28th of December, 1645.

Now both Factions, Parliament and Army, seem to court the King; and the Parliament sent Propositions of Peace to the King at *Hampton-Court*, the same they sent to the King at *New-Castle*, when he was in the Power of the Scots: which you may read in *Whitlock's Memoirs*, fol. 120. b. and 121. a.

But now the Mystery of Iniquity works; for *Cromwel* was as fearful the King should agree with the Parliament, as the King was unwilling to agree to them: and therefore *Cromwel* gave Instructions to the Commissioners, *That if the King would assent to Propositions lower than those of the Parliament, that the Army would settle him again in his Throne.* Hereupon the King returned Answer to the Parliament, *That he waved now the Propositions sent to him, or any Treaty upon them, and flies to the Proposals of the Army, urges a Treaty upon them, and such as he shall make; professes he will give Satisfaction to settle the Protestant Religion, with Liberty to tender Consciences; to secure the Laws, Liberty and Property, and Privileges of Parliament: and of those concerning Scotland, he will treat apart* with

with the Scots Commissioners. See Whitlock's *Memoirs*, fol. 271. b.

Upon the reading of the King's Answer, a Day was appointed by either House to consider of it; and that in the mean time it be communicated to the Scots Commissioners.

There was a Report at that time, and so yet continues, (tho I cannot find the bottom of it, yet I am confident in time it will appear) that Cromwel made a private Article with the King, *That if the King closed with the Propositions of the Army, Cromwel should be advanced to a Degree higher than any other, as Vicar-General of England, as Cromwel was in the Reign of Henry 8.*

But the King was so Uxorious, that he would do nothing without communicating it to the Queen; and wrote to her, *That tho he assented to the Army's Proposals, yet if by assenting to them he could procure Peace, it would be easier then to take off Cromwel than now he was the Head that govern'd the Army.*

Cromwel, who had his Spies upon every Motion of the King, intercepts these Letters, and resolved never to trust the King again; yet doubted that he could not manage his Designs, if the King were so near the Parliament and City as Hampton-Court: therefore Cromwel sent to the King, *That he was in no Safety at Hampton-Court, by reason of the Hatred which the Adjutors had to him, and that he would be in more Safety in the Isle of Wight.* Hereupon the King, upon the 11th of November (while the Parliament and Scots Commissioners were debating the King's Answer to their Propositions) at Night made his Escape, having Post-Horses, and a Ship provided for him at Southampton, accompanied only with Sir John Berkley, Colonel Leg, and Mr. Ashburnham, and came to the Isle of Wight; which would morally have been impossible, if Cromwel and his Agents had not put the King upon it.

But how concealedly soever Cromwel and his Son-in-law Ireton had carried the Business of the King's Escape to the Isle of Wight, yet the Adjutors had some Jealousy upon them, that they designed to have the King establish'd; and possess the Soldiers with much Prejudice against them. Fairfax doubting the Event of these Practices, dismiss the Adjutors to their several Regiments, and sent most of their Officers to their several Charges, and appointed a General Rendezvous of the Army at Cork-bush-field between Hertford and Ware, upon the 14th; which the Adjutors endeavour'd to have prevented. The next Day many Soldiers, of five whole Regiments, mutiny'd against their Officers, and wore Marks of Distinction to be known from the rest. Cromwel, Ireton, and some other of the Officers, struck at by the Adjutors, were very active in suppressing them, and seized upon some of the principal Mutineers, and one or two of them were shot before their Troops were reduced; and most of the Mutineers, and the Officers which

favoured them, were tried at Court-Martials, and cashier'd; and three of them condemned to die. And for this *Cromwel* had the Thanks of the House: but it will not be long before they shall find little Joy of it.

From the Isle of *Wight*, the King, upon *October* the 18th, sent to the Members for a personal Treaty of Peace at *London*: which, after much Debate, was agreed to, upon these four Preliminaries.

1. An Act For Raising, Settling, and Maintaining Forces by Sea and Land, within the Kingdoms of England and Ireland, and the Dominion of Wales.

2. An Act For recalling all Declarations, Oaths, and Proclamations against the Parliament, or those who had adhered to them.

3. An Act, That those Peers who were made after the Great Seal was carried from the Parliament, may be made incapable of Sitting in the House of Peers.

4. That Power may be given to the Houses, to adjourn as they shall think fit.

The King, it may be, not knowing *Cromwel* had intercepted his Letters to the Queen, and so trusting to *Cromwel's* Promises, and the *Scots* Commissioners flatly protesting against these Preliminaries, as opposite to Religion, the Crown, and Agreement of the Kingdoms; refused to sign any Propositions till a Peace was made, which might comprehend all Interests. Which had no other Effects, than that the Lords and Commons Voted,

1. That they will make no further Applications or Addresses to the King.

2. That no Addresses or Applications be made to the King by any Person whatsoever, without Leave from both Houses.

3. That the Person or Persons that shall make Breach of this Order, shall incur the Penalty of High Treason.

4. That they will receive no more Messages from the King; and that no Person do presume to bring any Message from the King to both or either Houses of Parliament, or any other Person. But these Votes were too hot to hold long.

These Votes were so pleasing to the Army, that it was declar'd by a Council of War the 17th of January, That they resolved to endeavour to preserve the Peerage and Rights, and the Rights of the Peers of England, notwithstanding any Scandals upon them to the contrary. Yet within little more than a Year, the *Rump*, set up by the Army, shall turn them out of doors, as dangerous and useless.

Here see what a Labyrinth Men run into when they forsake the Paths of Justice! for as *Socrates* says, *Plato Eutipbro*, If Men in Dissension will not submit to some certain Rule which may determine them, their Dissensions will be endless: and that the Will of the Gods,

Gods, if it be divided, cannot be the Rule to determine Justice; for Men in obeying one God, may disobey another.

If therefore the Laws and Constitutions of the Nation may not be the Rule which may determine the Controversies between the King, the Members, the *Scots*, and the Army, then nothing can; for else, what pleased one would displease the other.

The King would gladly have had the Law to have determined the Controversies; for this would have vested him in his Royal Power, and by the 18th of *Henry 7.* would have justified all his Subjects who fought for him. But the Members would not submit to this, being to divest themselves of the Power they thought they had in their hands; nor the *Scots*, because their Solemn League and Covenant was enacted by no Law in *England*; nor least of all would it please the Army, who nourished Designs against the King, Members, and *Scots*.

To such a deplorable state is this poor King and Kingdom fall'n, past all humane Relief! yet it's admirable, to consider how Divine Justice pursued the Causers of it, even in the Series by which they were promoted. The King, who would not have the Laws and Constitutions of the Nation to be the Rules of his Subjects Obedience, but his Prerogative, and Absolute Will and Pleasure, cannot now by it command one Servant: He who before, against Law, committed so many of his best Subjects close Prisoners, whereof several died in Prison, for asserting his Subjects Rights, without any Benefit of Law, is now, by his Subjects, made close Prisoner against Law, and without any Benefit of it: He who before dissolved four Parliaments, because they in all dutiful Ways would have addressed unto him to be reconciled to his Subjects, is now denied, under Penalty of High Treason, to have any Address made to him by any of his Subjects: He who before had so many Forests for his Pleasure, yet not contented with what the Law and his Ancestors had left, but would break the Bounds of them, that his Subjects Inheritance might become a Prey to wild Beasts, has not now a Horse, Hound, or Beast, to take Pleasure in. But these things will not stay here; for it is the unhappy Fate of Princes, rarely in their declining state to stay till they fall to the bottom. And here we end the Year 1647; and hereafter shall observe the Divine Justice overtaking the other Promoters of the Miseries both in *England*, *Scotland*, and *Ireland*. And if I shall ill perform it, yet it may be a Ground-work for another to do it better.

In this Confusion the Nation began to forget the times under the King's Government, now they saw no end of these: And tho the *Essex*-Men, who had the Bounds of their Forests broke down, and were the first who petition'd the Parliament to redress Grievances, and bring Delinquents to condign Punishment, yet they

are now the first who petition the Commons for a Personal Treaty with the King, and then the *Surrey-Men*; but were differently received, and some of the *Surrey-Men* kill'd. This was in *May*, 1648.

The *Scots* too, offended that they and their Solemn League and Covenant were not taken notice of in the Preliminary Treaty with the King, call a Parliament, and order the Raising an Army to deliver the King out of Prison.

The rude Entertainment of the *Essex* and *Surrey-Men*, was so far from quelling them, that they rise in Arms in *Essex*, *Kent*, *Suffolk*, *Norfolk*, *Wales*, and the *North*, and declare for the King and People: Sir *William Batton* too, who was Vice-Admiral of the *English Fleet*, goes over to Prince *Charles* with 17 Men of War, and declare for the King, having set *Rainsborough* (made Admiral by the Army) on Shore. This was in *May* and *June*, and soon after, viz. in *June*, the *Surrey-Men* rise, being headed by the Duke of *Buckingham*, and his Brother the Lord *Francis*, with the Earl of *Holland*.

But it was decreed, that this Prince, who for 15 Years had violated the Laws and Constitutions of this Nation, and without any Law or just Reason had so often imprisoned his best Subjects for endeavouring to reconcile him to his Subjects, should now himself, being made a Prisoner against Law, find no Relief by Law, or Endeavours of his Loyal Subjects.

For *Cromwel* sends *Horton* into *Wales*, against Major-General *Laughorn*, and Colonel *Poyer*, who headed the *Welch*, and had seized *Pembrook* and *Tenby-Castles*: *Fairfax* marches into *Kent*, and *Rainsborough* into the *North*, where the *Northern-Men* had seized *Pontfraft-Castle*; and the Members restore the Earl of *Warwick* to be Admiral, and fit out a Fleet under him, to suppress that which joined the Prince of *Wales*.

Horton beats the *Welch*, and took *Laughorn* and *Poyer* Prisoners, and besieges and takes *Pembrook* and *Tenby*: but whilst he besieged these, *Hamilton*, who the Year before was released from being a Prisoner in *Pendennis-Castle* by the King, for holding Correspondence with the Covenanters while he was Commissioner, now comes into *England*, to discharge the King from his Imprisonment, with a numerous Army of *Scots*, which Sir *Marmaduke Langdale*, Major-General *Massey*, and many *English* join: against these, *Cromwel*, after the Surrender of *Pembrook* and *Tenby*, marches, and utterly routs them, and takes *Hamilton* Prisoner.

Nor were the Fate of the *Kentish*, *Essex*, and *Suffolk Men* better; for *Fairfax* fights, and beats the *Kentish Men* at *Maidstone*; the Remainder, under my Lord *Goring* (whom the King had made Earl of *Norwich*) cross the *Thames* at *Greenwich*, and join the *Essex Men*, headed by Sir *Charles Lucas*, and march to *Colchester*, where

where my Lord *Capel*, and many *Suffolk* Men, joined them: *Fairfax* pursues them, and after a stubborn Siege of 11 Weeks, forces it to surrender, being reduced to extream Famine; and after caused Sir *Charles Lucas*, and Sir *George Lisle*, to be shor to Death.

Equal to this, was the Success of the *Survey-Men*; for they were routed by Sir *Michael Lewesly*, and my Lord *Francis* killed near *Kingston*: But the Duke of *Buckingham* and the Earl of *Holland*, with those which were escaped, fled over *Kingston-bridg*, and were pursued by Colonel *Scroop*, and overtaken at *St. Neots*, where Major-General *Dolbier* is killed, the Earl of *Holland* taken Prisoner, but the Duke of *Buckingham* escaped.

But the *Northern-Men*, besieged in *Pontfract Castle*, are not so easily subdued; on the contrary, a Party of about 30 Horse break through the Besiegers, and surprize *Rainsborough* in his Bed at *Doncaster*, about 12 Miles from *Pontfract*, and kill him, because he refused to be carried off a Prisoner; but *Pure Famine* at last forced the Besieged to surrender.

The revolted Fleet, now commanded by the Princes *Rupert* and *Maurice*, partly cajol'd by the Earl of *Warwick*, their former Admiral, and unwilling to forsake their Country, Wives and Children, in great part return to the Parliament; the rest were after pursued by *Blake* and *Popham* to *Ireland*, from thence to *Portugal*; from whence they were forced by *Blake* to *Carthagea*, where *Blake* run the Princes Ships on shore: yet the Princes having then but three Ships left, and having no Port in *Europe* to protect them, seek for one in the *West-Indies*, where Prince *Maurice* is lost in a Hurricane; and Prince *Rupert* after got into *France*, and sold the Remainder of this miserable Fleet, being two tatter'd Ships, to *Mazarine*, to fit out himself for other Adventures.

Whilst the Army was thus busied abroad, the Members having got possession of the Fleet, and the City of *London* being well affected to them, they join with the *Scotish* Commissioners, and rescind the Votes of Non-Addresses to the King; and in *September* appoint a Conference with the King at *Newport* in the Isle of *Wight*, to continue for 40 Days; and to that purpose, take the King out of Prison, and allow him the Liberty of the Island: and the King upon the Matter, with Reluctancy enough, grants the *Scots* and Members their own Demands.

But neither the Laws and Constitutions of the Nation, nor the Endeavours of his Loyal Subjects, nor the joint Desires of the *Scots* and Members, who had brought the King to this Condition, could protect this unhappy Prince from his approaching Ruin: for the Army, every where victorious over the *Scots* and *Royalists*, draw together, and make a *Remonstrance* against all Peace with the King; that Justice may be done upon him; that the Crown and

Church-Lands, be sold to pay their Army, and that the present Parliament be dissolved, and another called, which they present to the Members the Twentieth of November. And herein *Cromwel* and his Son-in-law *Ireton* were the principal Promoters.

But the Members were intent upon the King's Answer to their Propositions, and laid aside the Army's Remonstrance, which they take as a slighting of them, and then seized the King in the Isle of *Wight*, and make him Prisoner in *Hurst-Castle*, an unhealthy Place; and march to *London*, put the Garisons into *Whitehall*, Noble-Mens Houses, and posted the rest about the *Palace Yard*.

Notwithstanding the Members met upon the first of *December*, and vote the King's Concessions to be a sufficient Ground for a Peace; and then adjourn for a Week: But when the Members were to meet again, they found all the Avenues to the House beset with Soldiers, who exclude all which were not of their Faction from entering the House, which were not one fourth part, and make the Residue Prisoners.

So that if the Mayor, Sir *John Gage*, and the Aldermen his Brethren, were guilty of High Treason for committing a Force upon the Parliament, viz. for continuing the Militia of *London* in the City the Year before, how much more was it High-Treason in *Cromwel* and his Agents, to keep back by Force three Fourths of the Members from entering the House, and making them Prisoners, that the Rump of the rest might do his Journey-work?

So farewell *Presbytery*, and all the *Scottish* Trumpery in *England*: nor shall these secluded Members ever meet more, but to dissolve themselves and make room for another Parliament, which shall legally persecute them, and their *Solemn League and Covenant*, as much as they by it persecuted the King, and their fellow Subjects, against Law. Nor was *Presbytery* much longer liv'd in *Scotland*, where they shall never see it restored by this now Race of Kings, which shall plague them with the Exercise of Archbishops and Bishops, which by their Covenant they are sworn to abolish; and cut off the Head of the principal of their Faction, allowing them as little place for the Exercise of *Presbytery*, as they now do the *Episcopal Party*.

Having, tho but in Epitome, seen the various Accidents in War, whereby the King came to be in this Distress, before we declare his End, and the manner of it, it's fit, in short, to take notice of the several Treaties of Peace between the King and Parliament, and the Improbability of the good Success in any of them.

The first Propositions for Peace which the Parliament sent to the King, was *June* the 2d, when the King was at *York*, before the War broke out, which were Nineteen; which you may read at large in Sir *Richard Baker*, f. 518. a. b.

In

In these Propositions no mention is made either of the *Scots Covenant*, or abolishing Episcopacy; yet some of them were so inconsistent with *Monarchy*, and Arbitrary in the Parliament, as the King in Honour and Conscience could not condescend to them.

I say the King could not in Honour or Conscience condescend to the 9th Proposition, 15 and 16 Propositions, to settle the *Militia* as the Parliament have ordered (*without the King*) That all Forts and Castles of the Kingdom be disposed of by the Parliament (*viz. The Houses*) and that the King discharge all his Guards and Forces, and not to raise any but in case of actual Rebellion. *But how could this be done by the King, when the Militia and Forts of the Kingdom were in the Power of the Houses?*

So here the King, who by Virtue of his Office, is obliged to preserve the Laws and Constitutions of the Nation, and to suppress all Disturbers of them at home, and to defend the Nation from all Foreign Invasion, has no means to do any of them.

Objection. But the King had so often violated the Laws and Constitutions of the Nation; by being armed with these Powers, that the Nation could be in no Safety, if they were continued in him.

Answer. It's true, the Nation was in a very calamitous Estate herein: But if the Members had only made it their Business how to have restrained the King herein, and to have preserved the Laws and Constitutions of the Nation, it would have had another Face than now, when the Members are setting up themselves to do the same thing which they feared the King should act.

I say, the King could not in Honour or Conscience agree to the 13th Proposition, *That the Justice of Parliament (viz. the Members) should pass upon all Delinquents, and they to appear and abide by their Censure:* For Delinquent is a Word unknown to our Laws, and so equivocal, that it may signify whatever the Members pleased.

So that if the King had agreed to these Propositions, he would have been a King that could neither have executed Justice, nor shewed Mercy; and the Houses have an unlimited Arbitrary Power to do whatever they pleased.

To the Propositions the King returns a sharp Answer, *That the Houses contrary to Law, had pressed their Ordinances upon the People, wrested from him the Command of the Militia; countenanced the Treason of Hotham, and had directed to the People Invektives against his Government, and aspersed him with favouring Papists; and therefore protested, that if he were utterly vanquished and a Prisoner, in a worse Condition than any of his most unfortunate Predecessors had ever been reduced to, he would never stoop so low as to grant these Demands, and to make himself of a King of England a Duke of Venice.*

But

But when the Covenanters in *Scotland* sent their Proposition to his Majesty, he returned Answer, he would rather die than submit to them, and from a King of *England* make himself a Duke of *Venice*: Yet the next Year of his own Accord went into *Scotland*, and by Act of Parliament granted the Covenanters all they desired, (which yet perplexed all the subsequent Treaties of Peace in *England*) and more, as the Case now stood.

The next Treaty was at *Oxford*, in the beginning of 1643, which broke off the 15th of *April*, and nothing agreed to upon this Score: The Parliament Commissioners gave such Reasons for the King to assent to one of the most material Points of the Treaty, that the King assented to it; but being 12 a Clock at Night, it could not then be reduced to Writing, but he promised it should next Morning, when the King gave them a Paper quite contrary; whereupon the Treaty broke off. See *Whitlock's Memoirs*, f. 65. a. b.

For in the next Treaty at *Uxbridge*, which was in *December*, 1644, the Parliament not only insisted, that the King's Nephews, *Rupert* and *Maurice*, though Princes Foreign born, and so no Subjects to the King of *England*, but many of the principal Lords and Gentry, who assisted the King in this War, and who by the 11 *Hen. 7.* 18. were protected for assisting the King, should be excepted out of Pardon by an Act of Indemnity; which if they had had no Law to have protected them, yet the King could not in Conscience have offered them up a Sacrifice for assisting him.

But another Difficulty arose in this Treaty, which the Parliament would have imposed upon the King, contrary to the Laws and Constitutions of the Nation, viz. To extirpate *Episcopacy*, and to impose the *Scots* Covenant and Directory upon the Nation, though the Bishops were excluded their Sitting in the House of Lords, by an Act in 1641, and none in Orders to exercise any Civil Office: So that the Houses not content with what had been already granted, but grasping at more, they lost all; for in the first Parliament, *Car. 2.* they were restored to their Seats in Parliament again.

Objection. But if *Episcopacy* were *Jure Divino*, as the King was informed by his *English* Bishops; and therefore the King could not in Conscience submit to the abolishing of it; then it is *Jure Divino* in *Scotland*, as well as *England*; and if the King of his own Accord, could go out of *England*, to abolish it in *Scotland*, Why should the King against the Advice of both Nations, nor do the same in *England*?

Answer. He that shall answer for all the Actions of this Prince, shall have a great Task: Nor can I give any other Answer to it, than that because a Man has done an ill Act, it shall be a Precedent to him to do it again.

But

But if the King should have consented to abolish Episcopacy in *England*, and set up Presbytery, I do not see any Benefit the King could have reaped by it, according to the Covenanters Practice and Principles: For, if the *Scots* (after the King had abolished Episcopacy in *Scotland*, and set up Presbytery there, and that the *Scots* had thereupon promised all Obedience to the King in time to come; and declared by Act of Parliament, *That it was detestable and damnable Treason in the highest Degree, for any of the Scots Nation either conjunctly or singly, to levy Arms, or any Military Forces upon any Pretence whatsoever, without the King's Command*) could raise Arms, unprovoked by the King, and against his express Command, and invade *England*; why should the *English* Covenanters, after the King should have abolished Episcopacy in *England*, be more obliged to perform any Agreement they made with the King in *England*, than the *Scots* Covenanters were in *Scotland*?

When the King desired the *Scots* Parliament, upon the breaking out of the *Irish* Massacre and Rebellion, to assist him against the *Irish*, they refused, because *Ireland* was not subject to *Scotland*; and tho *England* be not subject to *Scotland*, yet the *Scots*, against the King's Command, can assist by Arms the Parliament against him: So that if the Covenant could entitle the *Scots* to be so false, perfidious and treacherous to the King after he had abolished Episcopacy in *Scotland*; Why should not this be a Precedent for the *English* Covenanters to be so in *England*, after the King should abolish Episcopacy in it, and establish Presbytery?

The Overtures for a Treaty at *Oxford* in November 1644, preceded that at *Uxbridge*, whence, upon the King's Desire, it was adjourned, and Passes reciprocally of safe Conduct were granted to Commissioners on both sides to meet the 29th of *January*, wherein the Commissioners from *Scotland* were included.

The *Scots* Commissioners being included in this Treaty, you need not doubt but their principal Care shall be to establish their Solemn League and Covenant, and the Presbyterian Government as firm in *England* as in *Scotland*; and to this end, *the three first days were set apart for Religion, three other Days for the Militia, and three other days for the Settlement of Ireland.*

How humble soever the *Scots* were (if you'll take their Word) yet the first Debate arose between the *English* and *Scots* Commissioners concerning Precedence, which you may read in *Whitlock's Memoirs*, f. 122. a. b.

But when the Business concerning Religion came to be debated, nothing less than that Presbytery was *Jure Divino* would down with the *Scots*; nor was Episcopacy less *Jure Divino* by the *English* Commissioners for Religion. But both these Assertions are false and blasphemous, for *Jus Divinum* is so inseparably inherent in God,

God, as cannot be communicated to any Creature: and though God by Divine Law or Institution did impower Bishops and Priests with Episcopal and Priestly Power, to perform their Offices designed by God, for the planting and continuing the Gospel; yet the *Jus Divinum*, from whence these Institutions were derived, remains the same in God as before. As God by the Law of Nature gives Parents a Dominion over their Children, and Husbands over their Wives; yet the Divine Right which gives these Powers, is the same as before; and Parents and Husbands have no Divine Right hereby, but a Temporal Right by Nature, or the Law of Nature: so Bishops and Priests have no Divine Right to exercise their Ghostly Powers, but a Spiritual Right given them by God's Law or Institution, supernaturally or extraordinarily given. If Bishops and Priests had a Divine Right, they might create Divine Laws, which in *Terminis* I believe none of them will affirm: However you may see how the *Theologues* (as they call themselves) impose by this Cant upon the World; and what endless Discords, Factions and Wars have been raised hereby, no Man conversant in History can be ignorant of. The Principal whereof was Dr. *Steward*, and Mr. *Henderson* and *Marshall* for Presbytery: but the Zeal on both Parts being so obstinate, as well as contradictory, would have taken up more than all their Time in these Ebroils, if a Stop had not been put to them upon the Motion of the Marquess of *Hartford*, on the King's Part, and the Earl of *Pembroke*, Mr. *Hollis*, and other Commissioners, on the Parliament's; that they might proceed upon the other Points of the Militia and *Ireland*.

In both these there was as little Agreement as in that of Religion, not any one Point being agreed to by the King's Commissioners; so the Treaty ended, and nothing concluded.

The other Treaties at *New-Castle*, *Hampton-Court*, and the Isle of *Wight*, we have taken notice of before. So that the King was as unsuccessful in his Treaties, as in his Arms.

The *Catastrophe* of this Tragedy resolves into the King himself: for this *Juncto*, after called the *Rump-Parliament*, having thus purged the House, assume to themselves the Supream Power of Ordering the *English* Affairs; confirm the Vote of *Non-Addresses* to the King, and raze the Votes of having a Conference with the King, and the Declaration that the King's Concessions were a sufficient Ground for a Peace, out of the Journals of the House: And vote, first, that all Power resides in the People: Secondly, That the Power belongs to the Peoples Representatives in the House of Commons: Thirdly, That the Votes of the Commons have the Force of a Law without the King: Fourthly, That to take Arms against the Representatives of the People, or the Parliament, is High-Treason: Fifthly, That the King himself took up

Arms

Arms against the Parliament, and therefore is guilty of all the Blood shed in this Civil War, and ought by his own Blood to expiate it.

The Nation was astonished at these Votes: for the Person of the King of *England* was ever esteemed Sacred; and therefore tho his Ministers were always accountable in Parliament for using, or abusing the Name of the King, to gratify their Ambition and wicked Designs against the King or Kingdom, yet in no time was any King of *England* arraigned and judged to die by his own Subjects; and tho *Edward* the Second, *Richard* the Second, *Henry* the Sixth, and *Edward* the Fifth were murdered by wicked Men, yet none of these suffered upon pretence of Justice.

But lame-footed Vengeance shall overtake both Rump and Army, and as they both joined by Force to impose these upon the King and Nation, so both without Force, or any Man kill'd in their Defence, shall be cashier'd with all imaginable Ignominy and Reproach. These Men, whom nothing but the King's and his Loyal Subjects Blood could satiate against Law, shall by Law have their own Blood shed in the most terrible manner the Law can inflict: these Men who would have the Crown and Church-Lands for their Avarice, shall either die or be hang'd as a Company of Beggars: *Richard Cromwel*, *Oliver's* Heir, being undone to pay the Charge of his Father's Funeral; or those who had Estates shall forfeit them, to encrease the Revenues of the Crown.

The Regicides, to put the best Face they could upon this audacious Act, send the Bill for Trial of the King up to the Lords for their Concurrence; but so far were the Lords from concurring, that they threw the Bill over the Bar: Hereupon the Rump vote the Lords dangerous and useless; yet *Henry Martin* said, they were useless, but not dangerous. Then the Rumpers advise with the Judges about the Trial of the King, who unanimously declare it against Law, and the *Scots* Commissioners protest against it. But neither Authority, Law nor Reason, would take place with those Men; so they erect a new Court never heard of before, called a *High Court of Justice for the Trial of the King*, to consist of (I think) Seventy, two thirds of which were Souldiers, who by putting the King to Death expected the Reward of the Inheritance both of the Crown and Church.

If it be Misery to have been happy, to what a miserable State have these cursed Minions, Flatterers and Sycophants brought one of the greatest and most high-born Princes in the Western World, to gratify their Ambition, Lust and Avarice? for this Prince whom they would have to rend his Subjects from their Laws, has now no Subjects who dare protect him by the Laws: He who before so often gloried, that to him alone belonged the Power of Proroguing, Adjourning and Dissolving Parliaments, who never did
him

him Wrong, but met to assist him against those who wronged him, and to have reconciled him to his Subjects, has now no Power to dissolve this Rump of a Parliament which will not be reconciled to him: He who before so often called his truly Loyal Subjects, Undutiful, Seditious and Vipers, (Terms unusual in Princes) shall hear himself call'd Tyrant, Murderer, and Traitor, by his implacable Subjects: He who before so often gloried, he was only accountable to God for all his Actions, shall be now called to an Account by a company of Men, for Actions whereof they themselves were much more guilty, and be sent to God to pass his Accounts there also.

For upon the 20th of *January* the King was haled before this Assembly, where he was charged of Treason, Tyranny and Murder, for raising War against the Parliament and People of *England*: Tho it's evident the Members seiz'd the Militia, the Tower of *London*, and Fleet, which Powers were inherent in the King, and shut him out of *Hull*, and granted Commissions for levying Souldiers before the King set up his Standard at *Nottingham*. But admit the King did first raise Arms to have forced the Parliament, and first actually set up his Standard against them, and that was a Crime, yet was the Regicides Crime greater, who had forced the Parliament, and set up themselves instead of it.

The King, now too late, flies to the Laws of the Land for his Protection, protests against the Jurisdiction of the Court, as established by no Legal Authority, and declares his Life was not so dear to him as his Honour and Conscience, and the Laws and Liberties of his People, and that he will lose his Life, rather than submit to such a Tyrannical Court. And at last the King desired to be heard before the Lords and Commons, in some things which concerned the Peace of the Kingdom, and Liberty of the Subjects: but this too was denied: And so the 4th day after this Appearance, *Bradshaw* the President gave Sentence upon him to lose his Head, all the Court to the number of 67, owning it by standing up: Which Sentence was executed the 30th of *January*.

The Character of King Charles the First.

THUS fell one of the greatest and most high-born Princes of the Western World. In his Person he was somewhat more than ordinarily tall, and the Composition of it was framed in most exact natural Proportion of Parts; so that he was very active, and of a fine Mein in his Motion, which was commonly more than ordinarily fast: yet he appeared best on Horse-back, and excelled in managing his Horse; so that when he was in *Spain*, in sight of the King, Queen, the Infanta's, and the Infanta *Maria*, whom he courted,

(or

or at least seemed to do so) and innumerable other Spectators, he took the Ring in his first Course. His Visage was long, and appeared best when he did not speak; for he had a natural Impediment in his Speech, and would often stutter in it, especially when he was in Passion.

To these Natural Endowments may be added, a Temperance in Eating and Drinking, and Chastity (tho his Enemies unjustly traduced him otherways) rarely to be found in Princes. He was born in *Scotland*, about two Years before his Father became King of *England*; and being bred from his Infancy in a most luxurious and flattering Court, tho he avoided the Luxury of it, yet the Flattery of it took such deep Root in him, that he would never permit free Counsel to take any Impression in him. In his Nature he was over parsimonious, ill becoming so great a Prince.

He laid the Foundation of an unhappy Reign before he became King, not only in his Dissimulation in the Treaty of Marriage with the King and Infanta of *Spain*, to the Displeasure of his Father; but much more in the French Treaty, not only in submitting to grant a Toleration of the Popish Religion, and that his Children should be brought up under their Mother till they were twelve Years old, but by engaging to assist the French King with a Fleet against the Reformed in *France*, which he did, tho the French broke their Faith, in denying *Mansfield* to land the Army at *Calais* raised for the Recovery of the *Palatinate*.

Unlike his Predecessor *Henry* the Fifth, who so soon as he became King, banished all his Flatterers and loose Companions, and betaking himself to grave and wise Counsel, he became the most Renowned and Victorious of all our English Kings: *Charles* became more wilful, and gave himself to be more governed by Favourites after he became King than before: So that the insite Piety and Affection which is due to Parents, and usually express in some mournful Demeanour upon their Death, took no Impression in him after his Father's Death; but contrary Passions against his Father's Counsel and Will prevailed upon him: For next day after his Father's Death, only the King and *Buckingham* present, the Keeper, *Williams*, coming to wait upon him; the King asked him whether the Parliament were dissolved upon his Father's Death? Which when the Keeper told him it was, the King commanded him to issue out new Summons for calling another, and not to stay a day, for Subsidies must be had for carrying on a War against *Spain*: and when the Keeper advised him to consider a little hereof, and that before Writs were issued out, Interest should be made about Elections, the King in Displeasure turn'd from him: Which you may read in the second Book and second Folio of the Keeper's Life. And these two things were observable in this Prince, That when any advised him against his Will, he would never ask it after,

or be Friends with him ; and that in all his Reign, as well in Prosperity as in Adversity, he would never own any one of his Irregularities to be so, but justified them all to his Death.

As *Henry* was the most self-denying of all his glorious Actions, ascribing them only to God ; so *Charles* upon all occasions in all his irregular Actions, gloried he was accountable to none but God for them.

After he was married, he became the most uxorious Husband of all our English Kings, except *Henry* the Sixth ; and being intangled by the Articles of Marriage, which the Queen fostered, and the Laws and Constitutions of the Nation contrary to them, which his Parliaments stedfastly asserted, he became both ways uneasy, and to reconcile them was impossible. But to me it seems, how uxorious soever the King was, yet during *Buckingham's* Regency (for so it may be truly called) he had an Ascendency over the Queen, as appears by the French War in the second Year of the King, notwithstanding all the Power of the Queen against it.

He was unaffable in his Conversation, and Approaches to him very difficult, and those with such strained Submissions as were never required by any of his Predecessors. As his Actions were without Counsel, sudden, and inconsiderate ; so were his Resolutions as variable and uncertain, so that oftentimes he would change them the same day : And as his Actions were without Counsel, so were his Designs without Secrecy, which blasted them as well at Home as Abroad.

He was so superstitiously addicted to the *Arminian* Clergy, which flatter'd him, that I do not find, except *Juxton* Bishop of *London*, that he prefer'd any others in the Church, till he fell into Adversity.

In his adverse Fortune he would betake himself to contrary Extreams, yet be as inconstant in them as in his Actions in Prosperity : He was only constant in his Affections to the Queen, (after he had given up his Favourites in his prosperous Fortune to the Parliament) and her Counsels fixed stedfast in him, tho in his Declarations to the Kingdom and Parliament he profess'd otherwise ; and herein he was as unhappy as he was before in his Designs in his Prosperity ; for they, whether by Fate or his own Imprudence, became known to his Enemies, who blaz'd them abroad, not only to the Nation, but all the World : so that the sincerity of his Promises and Declarations became suspected as well by his Friends as Enemies, and all Accommodation with them more difficult ; whereby it came to pass that his Armies being subdued by them, and thereby falling into the Hands of his Enemies, he became a Sacrifice to them in the 49th Year of his Age, having reigned 23 Years, ten Months, and three Days, leaving six Children, three Sons, *Charles* Prince of *Wales*, *James* Duke of *York*,
and

and *Henry Duke of Gloucester*, whereof the two elder were Exiles; and three Daughters, *Mary Princess of Orange*, and *Elizabeth a Virgin*, who not long survived him, and *Henrietta Maria* born at *Exeter*.

So that as King *John*, and his Son *Henry the Third*, lost all *Normandy*, and the greatest part of *Aquitain* to the *French*, by endeavouring a more than Legal Jurisdiction over their Subjects, whereby they lost their Love and Obedience; so these two Princes, Father and Son, by raising an Arbitrary Power over their Subjects, not only lost their Honour Abroad, but with their own Subjects, (and for want of whose Assistance this King lost his Life) and suffered the *French* to grow so great, as to endanger the Safety of their own Subjects in the Realms of *England*, *Scotland* and *Ireland*.

I'll conclude this Story with one which a learned Gentleman who liv'd in those Times affirmed: When the Duke of *Buckingham* was stabb'd by *Felton*, 1628, the Earl of *Portland* was then newly made Lord Treasurer; and the King to manifest his Affection to the Duke, order'd the Treasurer to issue out of the Exchequer 30000 *l*. I think, for a solemn Funeral for the Duke: but the Treasurer unwilling the King should be at so hateful an Expence at a time when the King was at War with *France* and *Spain*, told the King, that the Sum laid out in erecting a stately Tomb for the Duke, would be a more lasting Monument of his Favour to the Duke, than a Funeral-Expence, which would be but the Work of a Day, and soon forget: The King assented, and several Patterns were brought, and what the King lik'd the Treasurer disslik'd, till at last the King pitch'd upon one, which he said he would have; but then the Treasurer said, *Sir, what will the World say, that you should be at such an Expence for a Favourite, when your Father has not a Stone to cover him?* which struck the King so, as he proceeded no farther in it. I remember (I think it was in 1669.) that the Commons voted 50000 *l*. for the Charge of taking up this King's Body, and the solemn Funeral of it, and to have a Monument for it; but as if it had been blasted by Fate, it was not done, King *Charles* his Son, they say, forbidding it.

As to the State of the Nation, in reference to our Foreign Neighbour Nations, at the Death of King *Charles*, we shall find the *Dutch* making their Advantage of the English Dissensions, as before they did of the easy and remiss Nature of King *James*, when in the Year 1618, they seiz'd upon the Island of *Ambryna*, and expell'd the *English* thence, to say no worse: For Sir *William Courten* and Sir *Paul Pindar*, at the desire of King *Charles*, had fitted out two Ships fraught with our Native Commodities

to endeavour an Establishment of a Trade to *China*, where our Cloths were much more useful than in the Trade to the *East-Indies*, where the Trade is carried on in the *Torrid Zone*, and so our Cloths of little use; whereas the North and middle Parts of *China* are either cold or temperate, and so our Cloths of great use there, and desirable by the Natives. At this time the *English* had no *East-India* Company, but the Trade was free to the *English*, as that to *Spain* then was, and so now is; nor was the *East-India* Company incorporated till the Year 1657, by *Oliver Cromwel*. The Ships which *Sir William Courten*, and *Sir Paul Pindar* fitted and freighted out, wherein the Earl of *Shrewsbury*, and I have heard, the Earls of *Northumberland* and *Warwick* were concerned, one was called the *Bona Esperanza*, the other the *Henry Bonadventura*, which made a more hopeful Voyage to *China*, than can be expected to any Place in the *East-Indies*.

The *Dutch*, as jealous of a Partner in the *East-India* Trade, as a Dotard is of a fair Wife, the Pope of his Triple Crown, or the King of *Spain* of his *West-Indies*, set out, without any Declaration of War, two Men of War under the Command of one *Ge-land*, to intercept these Merchant-Men in the return of their Voyage homeward; and met with the *Bona Esperanza* between *Goa* and *Maccas*, in the *Straits of Malacca*, and take her with all her Cargo, and carry her to *Batavia*, and there (without any legal Process) confiscate the Ship and all her Lading; this was in the Year 1643. And also the same Year they seize the other Ship the *Henry Bonadventura* near the Island of *Mauritius*, which, with all her Cargo, the *Dutch* seized, nor ever made any Restitution of either to this day. How well King *Charles* the Second vindicated his Subjects herein will hereafter appear; and how impossible it became for the *English* to retrieve this Trade after *Oliver* had established the *East-India* Company exclusive to all other *English* Men, is obvious to any Man: But what can't *Queen-Money*, and a company of ——— do?

It was now above thirteen Years since the *Dutch*, in the Year 1635, entertain'd the *English* fled from *Laud* and *Wren's* Injunctions, whereby they acquired the Art of making the Woollen Manufactory of *Essex* and *Suffolk*, which before the *Dutch* knew not; and the Wars in *England* breaking out, the *English* did not so fully supply the Countries within the *Sound*, as before; and then the *Dutch* were rather Interlopers, than Competitors in the Trade of Woollen Manufactories to those Countries.

This want of Supply put the *Silesians* and *Polanders* upon a Necessity of being supplied other ways, and making a Vertue of Necessity, got Artificers to instruct the Natives of *Silesia*, and the

the Werstern Parts of *Poland*, by compounding the Wools of *Poland* and *Silesia*, to make a coarse sort of Cloths; called *Slesys*, which clad the poorer and ordinary sort of the Inhabitants, whereby the *English* to this day have lost the Trade of coarse Cloths to these Places, which before they solely enjoy'd. This was one Reason that the *Dutch* became Competitors with the *English* in the other Trades for Woollen Manufactures within the *Sound*.

For tho the *English* Manufactures were much better, and could be sold cheaper than the *Dutch*; yet the *Dutch* Navigation for foreign Vent, was manifoldly cheaper, and more convenient than the *English*, in regard of the Conveniency of their building Ships proper for all Trades, which the *English* understood not; for a *Dutch* Vessel of like Dimensions, besides the convenience of building, is built near half cheaper than the *English* can, and then is navigated with less than two thirds of the Hands.

To this Cheapness of Shipping and Navigation, is added the Advantage the *Dutch* have above the *English* in compounding Fraights in this Navigation; for all the Countries within the *Sound* stand in need of Salt, and cover drinking Wines and Brandy: These the *Dutch* not only import, by the Cheapness of Navigation, cheaper than the *English* can, but paying little or no Customs upon their Importation, can vend them so much cheaper in their Trades into the *Sound*, as their Navigation is cheaper, and the *English* Customs are more: So that if the Navigation of the *English* be double dearer, when Ships of like Dimensions be full freight, then if a *Dutch* Ship be full freight, and an *English* but half freight, the *English* becomes fourfold dearer; and this became so much more to the *English*, by how much the *English* Fraights were less after the *Silesians* and *Polanders* had got the Art of making *Slesys*; from thence it followed, that the *English* (by reason of the Dearness of their Navigation) could not sell their Cloths so cheap, but the *Dutch* became Competitors with them, having learnt the Art of making Cloths from those which fled into *Holland* to avoid *Laud's* and *Wren's* Persecutions, in not complying with their Ecclesiastical Injunctions.

This Year 1648, at the Treaty of *Munster*, a Peace was made between the King of *Spain* and the States of the United Netherlands, wherein they were declared free States, and so had as free a Trade with *Spain* as the *English*; so that tho the *English* upon the matter had had the sole Trade to *Spain*, exclusive to the *Dutch*, for near forty five Years, now the *Dutch* were Competitors in it with the *English*, as well as that into the *Sound*, with Woollen Manufactures.

In this Treaty too a Peace was made between the Empire and the *Swede*, so much to the Advantage of the Protestants, that the Pope's Nuncio protested against it, yet the *Electör Palatine* must be content with half his Country, the upper *Palatinate* being given to the Duke of *Bavaria* (Head of the *Catholick League* against the Protestants) who is made a *Seventh Electör*.

A
DETECTION
OF
AFFAIRS

During the
INTER-REGNUM,

OR

In the INTERVAL between the Death of
King *Charles I.* and the Restoration of
King *Charles II.*

BOOK III.

CHAP. I.

*Of the Administration of Affairs by the
Rump-Parliament.*

FAith, Truth, and Piety, are rarely found in Men who follow Camps. The Army, who in their Remonstrance would have the Parliament dissolved, and another called which might settle the Nation; now they had got the Rump to be their Head, whereby they may share the Church, Crown-Lands, and Delinquents Estates among themselves, regard
Y 3 neither

neither Parliament nor Nation ; and sure never was there such a Generation, who so impudently out-braved Truth, and all that may be call'd Sacred. If you could force a Belief into them, they first told you they fought for King and Parliament ; then they declared for the King and People against the Parliament ; and now they have taken off the King, if you will have any Benefit of their Protection, you must engage to their Government, without King or House of Lords, and be content with a piece of the Commons, call'd the *Rump*.

Not content with the Death of the King, the *Rump* proceeds to abolish Monarchy, and place the original Power of Government in the People, whose Representatives they are, if you'll take their Word ; and voted it High Treason to restore Monarchy, or to assist, or pray for *Charles Stuart*, or any of that Line ; overthrow the King's Statue, with an *Exit tyrannus Regum ultimus*. Nor are they satiated with the Blood of the King, but erect another High Court of Injustice, whereof one *Lisle*, an ignorant Fellow, was President ; who condemns the Marquess *Hamilton*, Earl of *Holland*, and Lord *Capel*, for raising Arms against the Parliament, which themselves had destroy'd.

But tho the *Rump* and Army were establish'd upon these strange Principles, yet being the Instruments of Divine Vengeance, like a Torrent broke loose from raging Seas, in less than five Years time they overwhelm not only *England*, but *Ireland* and *Scotland*, almost pull'd the *Dutch States* up by the Roots, and made *France* and *Spain* tremble. But that we may observe what follow'd, let's see what went before.

The *Scots* were the first who invaded *England* against the King, to impose their Solemn League and Covenant, which was more against the *English* Laws and Constitutions than *Laud's* Service-Books, Canons, and High-Commission, were against the *Scotish*. In *July* last the *Scots* invaded *England*, commanded by the Marquess *Hamilton* ; in *August*, *Cromwel* routs, and utterly overthrows this Army, and takes *Hamilton* Prisoner : So the *Scots* who began these Wars first, are the first chastised by this *English* Army. But this is but the Earnest of what shall follow.

The secluded Members who first join'd the *Scots*, beginning first with an equivocal Protestation, but after downright joined with the *Scots* in their Covenant, are now not only turned out of the House by the *Rump*, but kept in nasty Prisons, till they became as little dangerous as *The House of Lords*.

The horrid *Irish* Massacre and Rebellion succeeded in the third place : And now the *Rump*, having established themselves by subduing of the *Scots* under *Hamilton*, and deposing the secluded Members, are laying Rods in Piss to scourge these abominable *Irish*. But before we proceed, let's see how things stood in *Ireland*.

In *October* 1641. the *Irish* Massacre was, which succeeded in a Rebellion, in which *Richieu's* Scarlet was as deep dyed, as in the *Scotish* and *English* Commotions. The Head of this accursed Crew was *John Baptista Pennuncio*, the Pope's Nuncio, who in his Passage through *France* threatned he would suffer no Man to live in *Ireland* that wished well to the King, or to the *English* Affairs. Thus you see how all the Factions conspired against the King, the Laws and Constitutions of *England*; But for these last seven Years, viz. so long as the Distractions were continued in *England*, the War was pursued but by halves in *Ireland*.

King *Charles*, in his Life-time, had made the Marquess of *Ormond* Lieutenant of *Ireland*, who in 1643 made a Truce with the *Irish*, that the King might make use of the *English* in *England*: But the *Irish* kept their Faith no better in it, than the *Scots* had before with the King in the Peace in 1639. For on a sudden they rise against the Marquess (now the *English* are sent into *England*) and had surprized him, if he had not been informed before, and escaped into *Dublin*: and being in no Condition to defend it, but obliged to deliver it up either to the *English* sent by the Parliament, or to the *Irish*, he gave it up to the *English*, who make Colonel *Jones* Governour; and so *Ormond* leaves *Ireland*.

After the Marquess was withdrawn, the Nuncio behaved himself (like a Church-Man) with such a Despotical Tyranny, that he became intolerable, even to the *Irish* themselves; who, being press'd by *Jones*, *Coot*, and *Monk*, combine in a Body, and send to the Queen and to the Prince of *Wales* (for then the King was close Prisoner in the Isle of *Wight*) to return the Marquess of *Ormond*, and they would submit to his Authority, and join to expel the *Scots* and Parliament's Forces. The Nuncio taking this for an Affront to his Authority (being that of the Apostolick See, which is infallible) threatens Excommunication to them who should not obey him; but neither he, nor his Excommunication, were obey'd, but was forced to Capitulate with the *Irish* themselves to procure his Departure, which was as shameful, as his Entrance was proud and insolent.

Upon the Marquess's Return, he enter'd into most dishonourable Articles with the *Irish*; which yet would not please *Owen Roe O'neal*, who join'd with the Parliament's Forces, and reliev'd *Londonderry*, then besieged by the Lord *Ardes*.

After this Pacification with the *Irish*, such as it was, *Ormond* raises a numerous Army, and by my Lord *Inchiqueen*, routs a Party of *Jones's* going to *Drogheda*, who takes the Town, and *Dundalk*, *Green-Castle*, *Newry*, and *Trim*, and returns Victorious to the Marquess. Hereupon the Marquess besieges *Dublin*, but unfortunately sends my Lord *Inchiqueen* into *Munster*, with, if not the greatest, the best part of the Army; *Jones* falls upon the Remainder, and

utterly routs them: This was in August 1649. And the same Month Cromwel lands at Dublin with an Army of 15000 old Soldiers.

Upon this Disaster, the *Irish*, no more to be reconciled to the *English*, than the *Scots* Covenanters to Episcopacy, quarrel with the Marquess; which was never after composed: So the Marquess left Ireland again, leaving the Earl of *Glanrickard* Deputy.

Cromwel, after his landing, first storms *Drogheda*, or *Tredah*, with a most terrible Execution; and after, in less than one Year, all Ireland, upon the matter, is reduced to the Obedience of the *Rump*; who take dreadful Vengeance upon all the *Irish* who could be found to have had any hand in the Massacre of the *English*.

The King, *Charles II.* having lost *England* and *Ireland*, with all their Dependencies, except the Isles of *Guernsey*, *Jersey*, *Man*, and *Scilly*, and the Plantations in *America*, which shall soon follow, set up for *Scotland*, and makes the Marquess of *Montross* his Commissioner; who having got together about 400 *Swedes*, *Danes*, *Poles*, and *Germans*, lands them at the Wick of *Cathness* in April 1650, and takes *Dunbath*: But *Lesley* having sent Major-General *Straughan*, with 300 choice Horse, he set upon this ill composed Body of *Montross*, and utterly routs them: *Montross* fled, but was betrayed by the Laird of *Aston*, who had formerly served him.

The Covenanters, to shew their Clemency and Humility, bind the Marquess in a Chair planted backwards on a Cart, that all Men might see him, the Hangman, with his Hat on, riding before; and upon the 28th of May 1650, by a Sentence pronounced the Day before by the Lord *Lowden*, was hanged upon a Gibbet 30 Foot high, at the Cross of *Edinburg*, for three Hours: after which, he was quarter'd, and his Head set upon the *Talbooth*, and his Legs and Arms over the Gates of *Sterlin*, *Glasgow*, *Dundee*, and *Aberdeen*. But see the Piety and Commiseration of these humble People! They order, in the Sentence, that if he repented, so that his Excommunication should be taken off, the Trunk of his Body should be buried in the *Grey-Friars*; otherwise, in the *Burrough-Moor*, the Common Burial of Malefactors. But Vengeance shall soon overtake these cruel Proceedings.

For the Kirk, sore afflicted for their deposed Brethren in *England*, now in nasty Prisons, whereby Herefy, Schism, and Profaneness raged, and the Throne of Presbytery was defaced, but being unable of themselves to restore their Brethren, before *Montross's* Death, had agreed to have the King proclaimed King of *Scotland*, *England*, *France*, and *Ireland*; yet so as to take the Solemn League and Covenant, to give Signs of Sorrow and Repentance for his Father and Mother's Sins, and banish and turn out of his Court all who had not taken the Covenant, or taken up Arms for his Father. But the Kirk could not have found a Plant

so

so unlikely to produce the Fruit of Repentance, or to establish the Throne of Presbytery, as this King. However, they'll try what's to be done ; and to this end, send Commissioners to treat with the King at *Jersey*, not yet reduced by the *Rump* : and a Treaty is agreed to, to be at *Breda* in *Holland*.

The King was perplex'd what to do ; for to be a King in Fact, he desired above all things : but to forsake his Mother and Father's Friends, was grievous to him ; and to come to the Stool of Repentance, was full fore against his Will. Yet to be a King, as a Man does for a Wife, he forsakes Father, Mother, and his dearly beloved Friends, and comes to *Breda* : There the News comes of *Montross's* tragical Defeat and Execution, which had like to have spoil'd all ; but over Shooes, over Boots ; on he goes, having submitted to all the rigid Terms the Kirk-men imposed upon him. And in *June 1650*, arrives in *Scotland*, to be anew instructed in the Discipline of the Kirk.

The *Rump* in the mean while were not idle, you must think ; for having spued up Presbytery in *England*, they scorn'd to chew the Cud of it from *Scotland* : and therefore *Fairfax* having refused to command an Army against the *Scots*, they send for *Cromwel* out of *Ireland*, by this time as good as reduced by him, and declared him General of all the Forces of *England*, *Scotland*, and *Ireland* ; who, about the latter end of *June 1650*, enters *Scotland*, with a well-disciplin'd rather than a numerous Army : and having taken many Places of small moment, and often beat the *Scots* in Skirmishes, upon the 3d of *September* utterly overthrows the much more numerous Kirk-Army at *Dumbar*, commanded by their old General *Lesley*, 3000 *Scots* killed, 9000 taken Prisoners, all their Baggage and Ammunition, and above 200 Colours, which, as Trophies, were hung up in *Westminster-Hall*, where the *English* and *Scots* had before taken such Pains and Care to unite both Nations in their Solemn League and Covenant.

Whilst these things were doing, the Kirk at *Edinburg* were close at their Devotion, hourly expecting the Feet of those which should bring the glad Tidings which were at hand ; when *Lesley*, the same Day, brings Tidings of their utter Overthrow. Now was all their Joy turned to Lamentation and Wo, and the Songs of *Sion* are like to be sung in a strange Land.

To augment these Miseries, the King, who could not submit to the rigid Discipline of the Kirk, runs from *Schole* to the House of the Lord *Dippon*, intending for the *Highlands*, where he might go to School with more Liberty. Now all is in a Hurlyburley. After the King runs *Montgomery* from the Kirk, promising the King, if he would return, the Kirk would remit part of their Discipline : upon which, the King returned to *St. Johnstons*.

The King thus returned, did not please the Kirk-men, for being beaten by the *English*, they rail against those that called the King in too hastily, before he had given Marks of his Repentance and Conversion to God; and that it was not lawful for any who were truly Godly to take up Arms for him; and for the Advancement of the Kirk, made *Kerr* and *Straughan* Generals of the Kirk-Forces. But *Straughan* runs to *Cromwel*, and *Kerr* is utterly defeated, wounded, and taken by *Lambert*.

Whilst these things were thus doing in *Scotland*, let's see what was doing in *England*: In *January* this Year the *Rump* erected a High Court of Justice, whereof one *Keeble*, an ignorant Petty-fogging Lawyer, was President in *Norfolk*, upon pretence of an intended Insurrection for bringing in of the King, where 24 were condemned, and 20 executed, whereof one Mr. *Hobbar*, Brother or near Kinsman to Sir *John Hobbar*, who after married *Cromwel*'s Niece, and Widow of Col. *Hammond*, was one. And in *March* following the *Rump* erected another High Court of Justice, which condemned Sir *Henry Hide* for taking the King's Commission to be his Ambassador at *Constantinople*.

The Kirk-Party now lose their Reputation; they had nothing left, but to preach and pray, and rail: and now the Parliament and General Assembly take in all who will take the Covenant, but all to no purpose.

For *Cromwel* having taken *Edinburgh Town* and *Castle*, *Jedworth*, *Rejlan* and *Tantallon Castle*, sends *Overton* and *Lambert*, in Boats over the *Frith*, who rout Sir *John Brown*, and Major General *Holburn*, kill 2000 of their Men, and take 1200 Prisoners, and *Brown* himself, with 42 Colours.

Now, though *Scotland* were a cold Climate, 'twas too hot to hold the King and his Army, and therefore with them he slips into *England*, by the Way of *Carlisle*, leaving the Kirk in Lamentations and Woes, that Herefy and Schism had overspread the Beauty of Holiness, now Profaneness and Superstition had left it.

Harrison and *Lambert* followed the King, and *Cromwel* soon after, who at *Worcester* (that Day Twelve Month after he had routed the *Scots* at *Dunbar*) utterly again routs the *Scots* and *English*, kills 3550, with Duke *Hamilton* and General *Forbes*, and takes 5000 Prisoners, with the Earls of *Rothes*, *Kanwarth*, *Kelly*, the Lord *Sinclare* and *Montgomery*, General of the Ordnance; and soon after, *David Lesley* (who fought not, or but little in the Battel) is routed by *Lilburn*, and taken Prisoner, with *Lauderdale* (who held Correspondence in *England* with the Covenanting *Scots*) and the Lords *Kenmore* and *Middleton*: Yet the King by a Miracle escaped, to be restored King *Charles II.*

But the same Fate did not attend the Noble Earl of *Derby*, who coming out of the Isle of *Man*, with about 250 Foot, and 60 Horse,

Horfe, to have affifted the King, which he joined with about 1200 raifed Men in Lancashire, (where he was highly honoured and beloved) was fet upon by Col. Lilburn (*John's elder Brother*) and routed the 29th of *Auguft*, where the Lord Widdrington, Sir *Thomas Tidderſly*, Col. *Boyn-ton*, Sir *Francis Gamul*, Major *Trollop*, Sir *William Throgmorton*, Col. *Leg*, Col. *Ratliff*, and Col. *Gerard*, with ſome others, were taken Priſoners; but the Earl tho wounded, eſcaped to the King at *Worceſter*: but it was his hard Fortune to be afterwards taken, and tried by a Court Martial upon the 6th of *October*, which conſiſted of 20 Officers and Captains, five Colonels, Maj. General *Milton*, and Col. *Mackworth* Preſident, at *Cheſter*; and upon the 22d was beheaded.

When *Cromwel* came into *England*, he left *Monk* to command in *Scotland*, who beſieges and takes *Sterlin-Caſtle* by Surrender, with all the Guns, Ammunition and Arms, Money, Jewels, and the Registers transferred from *Edinburgh* thither, and quite defaced the lofty Inſcription:

———*Nobis hac inviſta dedere*
Centum ſex Proavi———

About this time old General *Leſley* was raiſing an Army in *Perthſhire*. *Monk* ſends *Morgan* and *Alured* to prevent it; who ſurprized them, and take *Leſley*, the Earls of *Crawford* and *Lindſey*, the Lord *Ogilby*, and many other Priſoners: and after take *Dunfriſe*.

At this time *Monk* beſieges and takes *Dundee* by Storm with as terrible an Execution, as *Cromwel* the Year before had done at *Tredah*: Here it was, and at *Sterlin-Caſtle*, the *Scots* had lodged all their Plunder and Money they had got in *England*, which was ſo plentiful, that the *English* common Souldiers ſhared Money by Hatfuls. The Terror of this Succeſs frightened *Aberdeen*, and all the other Towns in *Scotland* into Obedience; nor did it ſtay here, but all the Iſles of *Orcades* and *Shetland* ſubmitted; which neither *Roman* nor *English* Force could ever accompliſh.

Now the Kirk-Party are all in Yelling and Woes, Hereſy and Schiſm had overſpread the beauteous Diſcipline of Reformation: Now they cannot perſecute other Men, they exclaim and cry out they are perſecuted themſelves: Their Nobles (except *Argile*) which are not killed, are committed to Priſon, that they might ſhare in the Tribulations, as well as Triumphs of their Brethren in *England*.

But the Tribulations of the Covenanted Party did not end in Imprisonment only, but extended to Life; for upon the 22d of *Auguſt*, *Love* and *Gibbons* (two moſt zealous Covenanters) were executed by a Judgment of a High Court of Juſtice (as 'twas called) for holding Intelligence with their Brethren in *Scotland*; ſo that this High-Juſtice, or *Summum Juſ*, reached the Covenanters as well as the *Royalists*.

Now

Now the *Rump* change the Fabrick of the *Scotish* Government, and make Itinerant Judges, part *Scots*, part *English*, and make a Council of State of that medly; yet allow them 30 Commissioners to sit and vote in their Parliament at *Westminster*; so that tho the Crown of *Scotland* were independent upon the Crown of *England*, yet *Scotland*, as well as *Ireland* and *England*, must depend upon the *Rump*: And that the *Scots* may be the more tamely ridden, they are denied Arms, and even Horses, unless on necessary Occasions.

The Victory at *Worcester* swelled the Sails of *Cromwel's* Ambition brim full, so that he began to entertain Thoughts of Setting up himself; yet being a ticklish Point, wherein he was sure to be opposed by the Factions as well as Royalists, upon the 10th of *December*, he called a Meeting of divers Members of the House, and some of the Principal Officers of the Army, and proposed to them, That now the old King being dead, and his Son defeated, he held it necessary to come to a Settlement of the Nation; and that he requested this Meeting, that they might consider and advise what was fit to be done, and to present it to the Parliament: So much easier is it to destroy a Government, than to erect another. And now *Cromwel* and his Adherents had overturned the Government of Three Kingdoms, they are to advise and consider how to erect another: This was the good Fight which these Men fought to destroy, and then knew not what to do. However we'll give the Account of these Mens Opinions *verbatim*, as I find it in *Whitlock's Memoirs*, f. 492. a. b.

Lenthal. My Lord (who made him so?) This Company were very ready to attend your Excellency, and the Business you were pleased to propound to us is very necessary to be considered: God hath given marvellous Success to our Forces under your Command, and if we do not improve these Mercies (Blood, Rapine and Murder) to some Settlement, such as may be to God's Honour and the Good of the Commonwealth, we shall be very much blameworthy.

Harrison. I think that which my Lord General hath propounded as to a Settlement both of our Civil and Spiritual Liberties, and so that the Mercies which the Lord hath given in to us, may not be cast away; how this may be done is the great Question.

Whitlock. It is a great Question indeed, and not suddenly to be resolved; yet it were pity that a Meeting of so many able and worthy Persons, as I see here, should be fruitless; and I would humbly offer in the first Place, whether it be not requisite to be understood in what way this Settlement is desired, whether by an Absolute Republick, or with any Mixture of Monarchy.

Cromwel. My Lord Commissioner *Whitlock* hath put us upon the right Point, and indeed it is my meaning, that we should consider whether a Republick, or a mixt Monarchical Government, will be best settled;

settled; and if any thing Monarchical, then in whom that Power shall be placed.

Sir Tho. Widdrington. I think a mix'd Monarchical Government will be most suitable to the Laws and People of this Nation; and if any Monarchical, I suppose we shall hold it most just to place that Power in one of the Sons of the late King.

Fleetwood. I think that Question, whether an absolute Republick, or a mix'd Monarchy be best to be settled in this Nation, will not very easily be determined.

L. C. J. St. John. It will be found that the Government of this Nation, without something of Monarchical Power, will be very difficult to be so settled, as not to shake the Foundation of our Laws, and the Liberties of the People.

Lenthal. It will breed a strange Confusion, to settle a Government of this Nation without something of Monarchy.

Desborough. I beseech you, my Lord, why may not this as well as other Nations be governed by a Republick?

Whitlock. The Laws of England are so interwoven with the Power and Practice of Monarchy, that to settle a Government without something of Monarchy in it, would breed so great an Alteration in the Proceedings of our Law, that you will scarce find time to rectify; nor can we well foresee the Inconveniencies which will arise thereby.

Whaley. I do not understand Matters of Law, but it seems to me the best way, not to have any thing of Monarchical Power in the Settlement of our Government; and if we should resolve upon any, whom should we pitch upon? The King's eldest Son hath been in Arms against us, and his second Son is our Enemy.

Widdrington. But the late King's third Son, the Duke of Gloucester, is still among us, and too young to have been in Arms against us, or infected with the Principles of our Enemies.

Whitlock. There may be a day given for the King's eldest Son, or for the Duke of York his Brother, to come in to the Parliament, and upon such Terms as shall be thought fit and agreeable, both to our Civil and Spiritual Liberties, and a Settlement may be made upon them.

Cromwel. This will be a Business of more than ordinary Difficulty; but really (a Word much used by him) I think, if it may be done with Safety, and Preservation of our Rights, both as Englishmen, and as Christians, that a Settlement of somewhat of Monarchical Power would be very effectual.

So that the Soldiers were for a Republick, except Fleetwood, who knew not what to say; the Lawyers for a mix'd Monarchy, and many for the Duke of Gloucester to be King; but then Cromwel, (designing for himself) still put off the Debate to some other Point; so the Company part without any Result at all: yet Cromwel discovered by this Meeting the Inclinations of the Persons which

which spake, for which he fished, and made use of what he thus discerned. But this Point was too tender to be further pressed at this time, and so we leave it, till *Cromwel* shall give a further Occasion.

In *October*, this Year, *Haines* reduced *Jersey* to the *Rump*; and in *January* the Isle of *Barbadoes* was surrender'd to *Askew*, sent thither by the *Rump*; and in this Month, an *English* Man of War meeting with some *Dutch* Fishermen, demanded the tenth Herring, as a Duty for their Fishing in these Seas; which the *Dutch* denying, the *English* sunk one of their Ships, and all the Men were lost, (see *Whitlock's Memoirs*, fol. 487. b.) and here began the first Quarrel between the *Rump* and *Dutch*.

The *Rump* thus every where Victorious at home, yet it may be fearing they had disgusted all Christian Princes by the Death of the King, (and already the *Czar* of *Muscovy* had revoked all the Privileges of Trade which had been granted to the *English* in the Reigns of *Q. Mary* and *Q. Elizabeth*, and continued in the Reigns of King *James* and King *Charles*, and banished the *English* out of his Dominions for putting the King to Death) upon the 11th of *March* sent the Chief Justice *St. John* and Mr. *Strickland* to treat of a Coalition with the *Dutch*, whose Title and Government were the same, or not unlike to the *Rump's*; and if this could be obtained, both Republicks being incomparably superiour to all the Kings in the World by Sea, they need not fear any Enemies abroad.

But the *Dutch* fearing this Coalition with *England*, (where the Harbours for Shipping are more, and much better than those in *Holland*) would rob them of the Trades they were possessed of, and that their rich Merchants, in case of a Coalition, would be tempted to lay out their Monies upon real Securities in *England*, rather than to venture them in the contingent Accidents of Trade, not only refused to enter into a Coalition, but rudely treated *St. John*; whose haughty Spirit ill brooking such Affronts, made a Report of his Embassy, little to the *Dutch* Advantage.

Hereupon the *Rump* made the Act of Navigation, designing thereby to have, in a great measure, lessened the *Dutch* Trade, and encreased the *English*; tho both succeeded quite contrary, as hereafter we shall make it appear: Yet the *English*, by virtue of this Law, took Occasion to search the *Dutch* Vessels, and often to make Prize of them; whereupon the *Dutch* sent over four Ambassadors, *Catz*, *Van de Peere*, *Sharp*, and *Newport*, to pacify the *Rump*, which they were so far from effecting, that the *Rump*, upon their first Audience, upon the 15th of *April*, demand the Arrears for the *Dutch* Fishing upon the Coasts of *England* and *Scotland*; that the Survivors of the *Dutch*, assisting in the Massacre of the *English* at *Amboyna*, should be given up to Justice; and a free Trade up the *Scheld*.

The Dutch Ambassadors were surprized at these Demands, having no Instructions thereupon; or if they had, could not have given any reasonable Answer against them: Yet still they continued to make great Protestations of their Love and Affection to the Commonwealth of *England*, and their most ardent Desire of propagating and encreasing the true Reformed Religion; yet privately gave the State an Account how little was to be expected from the *Rump* by a Treaty. Hereupon the Dutch prepare for a War, nor was the *Rump* herein behind hand with them.

The Dutch in May set out a Fleet of Men of War, commanded by *Van Trump*, pretending for the Security of Trade, but with Instructions not to strike Sail to the *English Flag*; and upon the 17th of May came into *Dover Road* with 45 Sail of Men of War, where *Trump* rode at Anchor, as if he desired what the *English* could do to him.

Blake, the *English* Admiral, had but 15 Men of War, yet resolved to have an Account of *Trump* what he had to do in *Dover Road*, and sailed directly to him: hereupon *Trump* stood to the East-ward, and by that means being become Head-most of the *English* Fleet, bore directly upon them; and being come within Musquet-shot of the *English*, *Blake* gave Order to fire at *Trump's* Flag, which was done thrice, but instead of striking it, *Trump* poured in a Broad-side upon *Blake*, and Major *Bourn* at this time coming to *Blake's* Assistance with 8 Men of War, both Fleets engaged from four in the Afternoon till Night, wherein there were not less than 2000 Shot exchanged upon one and the other side; and the Dutch had one Man of War taken and another sunk, and 150 Men slain; but the *English* had not one Ship lost or disabled, and very few Men killed: This Fight was the 19th of May. *Van Trump* in the Night drew his Ships on the Back of the *Goodwin Sands*, and next Morning sailed back to *Zealand*, instead of securing the Dutch Trade.

Hereupon the *Rump* set a Guard upon the Dutch Ambassadors at *Chelsey*; but tho the *English* Fleet in this Fight received little Damage, yet that of the Dutch was so batter'd, as made it unfit to fight. About this time *Virginia* submitted to the *Rump*, but not *New-England*, nor ever after did that I can find.

The Dutch thus balk'd in their Expectation of great things to be done by *Van Trump*, and finding the contrary Success, sent a Paper to their Ambassadors in *England*, which was presented to the Council of State the 20th of June, therein taking God the Searcher of all Hearts to witness, that the most unhappy Fight of the Ships of both Commonwealths, did happen against the Knowledge and Will of the Lords States-General of the United Netherlands, and that with Grief and Astonishment they received the fatal News of that unhappy rash Action. A likely matter, as if *Van Trump* should dare

dare to do such an Action without their Order, and they not punish him for it.

That they did consult and endeavour to find out what Remedy chiefly may be applied to mitigate that raw and bloody Wound, and to that end had written to gather a solemn Meeting of Parliament or all the Provinces, whereby they doubt not but a Help may be found out for these Troubles, and a better hope of our Treaty in hand for the common good of both Nations, to shun the detestable shedding of Christian Blood (so much desired, and would be dearly bought by the common Enemies of both Nations.) We again crave this most Honourable Council, and beseech you by the Pledges both of common Religion and Liberty (Terms unusual in the High and Mighty States, and never used by them to any King since the Reign of Queen Elizabeth) mean while to suffer nothing to be done out of too much Heat, that afterwards may prove neither revocable nor repairable, but too late Vows and Wishes; but rather that you would let us receive a kind Answer without further Delay, upon our last Request.

To this Cant, wherein God's sacred Name is exposed to cover Dutch Hypocrisy, the Rump gave this Answer: *That calling to mind with what continued Demonstrations of Friendship and Affection, from the beginning of their Intestine Troubles, they have proceeded with the Neighbours of the United Provinces, they do find themselves much surprized with the unjustable returns they have made thereunto, and especially at the Acts of Hostility lately committed in the very Roads of England upon the Fleet of this Commonwealth, the matter of Fact whereof stated in clear Proofs, is hereto annexed: Upon serious Consideration of all, and of the several Papers delivered by your Excellencies to the Council of State, the Parliament thinks fit to give this Answer.*

As they are willing to make a charitable Construction of the Expressions used in these Papers, endeavouring to represent the late Engagements of the Fleets without their Knowledge, and against the Minds of their Superiours; so when they consider how disagreeable to that Profession, the Resolution and Actions of your State, and of their Ministers at Sea, have been, even in the midst of a Treaty offered by themselves, and managed by your Excellencies, by the extraordinary Preparations of 150 Sail of Men of War, without any visible occasion, but what does now appear a just ground of Jealousy in your own Judgments, when your Lordships pretended to excuse it, and the Instructions themselves given by your Superiours to their Commanders at Sea, they do find too much cause to believe that the Lords States of the United Provinces have an Intention by Force to usurp the known Rights of England in the Seas, to destroy the Fleets, that are under God, their Walls and Bulwarks, and thereby to expose this Commonwealth to Invasion, as by this late Action they attempted to do.

Where-

Whereupon the Parliament conceive they are obliged to endeavour, with God's Assistance, as they have opportunity, to seek Reparation of the Wrong already suffered, and Security that the like be not attempted for the future.

Nevertheless, with this Mind and Desire, that all Differences between the two Nations may (if possible) be peaceably and friendly composed, as God by his Providence shall open a way thereunto, and Circumstances shall be conducing to render such Endeavours less dilatory, and more effectual than those of this kind have hitherto yet been. See Whitl. Mem. f. 510. a, b.

This was the 10th of June, and on the 12th Captain Peacock and Captain Taylor in two of the English Frigats, fought with two Dutch Men of War on the Coast of Flanders, for refusing to strike their Top-sail; and after a short Dispute, the English took one of them with all their Officers and Mariners, but she was so torn that she presently sunk, and run the other upon the Sands to avoid being taken.

Upon the 13th Blake took 26 Sail of Dutch Merchant-Men near the Downs, and three Men of War, having before staid ten more of the Holland Ships; and upon the 29th the Rump passed these Votes.

1. That the Lords States do pay to this Commonwealth the Charges and Damages they have sustained by their Attempts.
2. That upon Payment or securing thereof, shall be a Cessation, and their Ships and Goods released.
3. This being assented to and put in Execution, the Security for the time to come, to be a firm Amity and Interest of the two States for the good of both.

Hereupon the Dutch Ambassadors the next day, viz. June the 30th, demanded Audience of Leave to depart, which was granted; but the Rump would not recede from demanding Satisfaction for all their Damages. Hereupon the Dutch Ambassadors returned home.

The Dutch foreseeing a Coalition with England, or a War would necessarily follow, and being set against the Coalition, resolv'd upon a War, and to that end enter into a Confederacy with the King of Denmark against the English.

Now both Rump and States make all imaginable Preparations for War; and about the beginning of July, Blake with a gallant Fleet went Northwards, and left Sir George Askue to command the rest of the Fleet in the Downs, who took five Dutch Merchant Men, and Blake in his Passage took two Men of War, and two Merchant-Men; and within a day or two after, viz. the 4th of July, Sir George met 40 Dutch Ships, took 7 of them, burnt 4, and ran 24 on Ground upon the French Shore, where, tho the French protected them against the English, yet coming aboard the Dutch Ships, they plunder'd them.

Upon the 24th, *Blake* took 100 of the *Dutch* fishing Busses, and in them 1500 Prisoners: and about the last of *July* *Blake* fell upon the *Dutch* Convoy for their Fishery in the Northern Seas, consisting of 12 Men of War, and sunk three, and took the other nine, with all the *Dutch* Busses, and unloaded all their Fish, and sent the Fishermen home; and *Blake* also took three of the *Dutch East-India-Men* richly laden. In these Actions *Blake* had but 8 Men of War, and *Blake* sent six of the *Dutch* Men of War to Major General *Dean* in *Scotland*.

Upon the 20th of *August*, Sir *George Askue* with 38 Sail of Men of War set upon the *Dutch* Fleet of 55 Sail, and 15 Merchant-Men near *Plimouth*; the Fight lasted three days, and the *Dutch* lost two Ships, one sunk, the other burnt, the *English* none. Hereupon the *Dutch* retired to the Coast of *France*, and Sir *George* follow'd them, and charged them, and sunk the *Dutch* Admiral, and lost but one Fire-ship, who having taken out her Men, sent her among the *Dutch*; but being upon the *French* Coast, Sir *George* pursued the *Dutch* no further, and went Northward to repair his Fleet.

At this time there was no Peace between the *English* and *French*, and the *Spaniards* having besieged *Dunkirk*, the *French* set out a Fleet under the Duke of *Vendosme* to relieve it: This Fleet was set upon by *Blake* in the *Downs*, who had then but 7 Men of War with him, whereof the *Sovereign* was one; and upon the 6th of *September*, *Blake* engaged the whole *French* Fleet, and took 7 of their Men of War, and dispersed the rest; whereupon *Dunkirk*, and after *Gravelin* submitted to the *Spaniard*.

Van Trump upon his Misfortune having laid down his Commission, his Command was given to *De Wit*; and the King of *Denmark* having made a League with the *Dutch* against the *English*, seized all the *English* Ships and their Effects within the *Sound* or *Zundt*, and joined five of his Men of War with the *Dutch*.

But the Success of the *English* Fleet in these Seas was not answered in the *Levant*; for Captain *Bodiloe* with five or six *English* Frigats, was set upon by *Van Galen*, Admiral of the *Dutch* in those Seas, about the latter end of *September*, with 16 *Dutch* Men of War, in which Encounter the *Phoenix* (formerly mistaken for the *Garland*) was taken by the *Dutch*, and the *English* forced to retire under the Protection of the Port of *Leghorn*: but *Van Galen* bought this Victory with the loss of his Life; and upon the 20th of *November* following, Captain *Cox* with two Boats of brave *English* in the Port of *Leghorn*, boarded her and brought her off, and young *Van Trump* was forced to skip into the Water, to save his Life, or being taken Prisoner.

De Wit had small Joy of his Employment, having *De Ruiter* joined in Commission with him; for having fitted out so great a Fleet

Fleet as the *Dutch* could put out, they took their Station in *October* on the side of the *North-Foreland* upon the *Kentish Coast*.

Blake having been on the *Western Coast*, and having taken five *Dutch West-India Ships*, and six *Straits Ships*, valued at 200000*l*. hastned with his Fleet towards the *Dutch*, and divided it into three Squadrons, one commanded by himself, another by Vice-Admiral *Penn*, and the third by Rear-Admiral *Bourn*; and upon the 28th of *October* engaged the *Dutch Fleet*, and boarded and took their Rear-Admiral, and sunk two more of them, and one was blown up; and the rest of the *Dutch Fleet* was so shatter'd that it was forced to fly, and was pursued by the *English* twelve Leagues: the *English* lost not one Ship, tho many of them were disabled in their Rigging.

Van Trump thus laid aside, the ill Success of *De Wit* and *Ruiter* put the *States* to their Trumps what to do; when the King of *Denmark*, fearing to be called to a severe Account by the *Rump* for his seizing the *English Ships* in the *Sound*, in case the *Rump* prevailed over the *Dutch*, sent a Message to them, proffering to assist them with 20 Men of War, if they would re-establish *Van Trump* again in his Command, which the *Dutch* did.

Van Trump thus re-established, used all possible Industry to fit out another Fleet, and having got 80 Sail of Men of War, and 10 Fire-ships, sailed directly to the *Downs*, where *Blake* lay with about 40; and upon the 29th of *November* a furious Fight was between them, which lasted from two in the Morning till six at Night (this cannot be, considering the time of the Year, yet *Baker, f. 625. b.* says it) I think it should have been from ten in the Morning: When the *Dutch Fleet*, double in Number to the *English*, prevailed, and took the *Garland Frigate*, and burnt the *Bonadventure*, and sunk three more: on the *Dutch* side, one of their Flag-Ships was blown up, and all the Souldiers and Mariners were lost but two, and *Van Trump's* and *De Ruiter's Ships* much damaged; and if the Night had not favoured the *English*, the whole Fleet would have been in danger to be lost.

After the Fight *Van Trump* failed to the Westward, to convey home the *Dutch-French Fleets*; and now the *Dutch* were so elated by their Victory, that they talk'd of nothing but blocking up the River of *Thames*, and forcing the *English* to a Peace, but they were mistaken in their Measures.

For the *Rump*, with incredible Diligence and Conduct, repair'd their shatter'd Fleet, and fitted up another, to the Amazement of the *Dutch*, commanded by *Blake*, *Dean* and *Monk* (newly come out of *Scotland*, the reason whereof you'll hear by and by) and upon the 8th of *February* set Sail from *Queenborough* with 60 Men of War, from whence they sailed to *Portsmouth*, where they were joined with 20 Men of War more, and from thence sailed over

against *Portland*, half Seas over, to call *Trump* to an Account for passing the Channel without the *Rump's* leave: and upon the 18th of February the Southern Ships of the English Fleet desferied the Dutch Fleet, consisting of 75 Men of War, which had the Charge of convoying 30 Merchant Ships.

Blake and *Dean* were in the *Triumph*, and with 12 Sail more engaged the Gros of the Dutch Fleet; and the *Triumph* having received 700 Cannon-shot in her Hull, was bravely relieved by *Lawson* (the rest of the English Fleet being not able to come up.)

But when the rest of the English Fleet came, a most furious Fight succeeded, wherein the Dutch had six Men of War taken and sunk, whereof one was a Flag-Ship; but the English lost not one Ship, tho many were disabled and sent into *Portsmouth*.

The next day after in the Morning, the Dutch Fleet was discerned seven Leagues off *Weymouth*, whither the English ply'd, and in the Afternoon engaged them with like Fury they did the day before: *Trump* put his Merchant Men before him, and after the first Shock, fought retreating towards the Coast of *Bulloign*; but in his way thither, the English Frigats at large took many of his Merchant Men, and *Lawson* boarded and took one of the Dutch Men of War.

The next day, Sunday the 12th, early in the Morning, the English renewed the Fight, which continued till four in the Afternoon; then the Wind proving cross to the English at N. N. E. *Trump* got to *Calais* Sands, and the English thought fit to pursue him no further.

In these three Fights the Dutch lost eleven of their Men of War, and 30 of their Merchant Ships; the English lost but one Ship, the *Sampson*, but the Captain, *Button*, and most of the Men were saved, tho the Captain was much wounded.

This Victory of the English was so much more surprizing to the Dutch, by how much they expected *Van Trump* should have block'd up the River of *Thames*, and obliged the English to seek a Peace: but the Success proving so contrary, the common People in the Dutch Provinces were all in an Uproar and Tumult, whereupon the Province of *Holland* (without the Consent of the other Provinces, which was contrary to the Constitution of their Government) did privately imploy Colonel *Doleman* and some others (gaining to them *Hugh Peters*) to try the Inclinations of the *Rump* for a Peace.

Here take notice, that King *Charles* the Second employ'd one Mr. *Stubbe*, commonly call'd Dr. *Stubbe*, (who was a Man of great Parts) to write a Vindication of the second Dutch War in his Reign, whereby *Stubbe* had the opportunity of inspecting all the Manuscripts relating to the English Treaty with the Dutch in this Treaty; for the *Rump* refused to treat with them but in writing: and

and out of these, and *Leo ab Aitzma* (a most faithful Collector of the Treaties of Peace and War and Commerce between the Princes and States of his time, and sometimes before) Dr. *Stubbe* hath, I believe, faithfully set out this Treaty of Peace between the *English* and *Dutch*; and therefore, tho but in *Epitome*, I shall take him for my Guide herein.

The *Rump* did not refuse to treat of a Peace upon just and honourable Terms, but not in *Holland* or any Neutral Place; nor would they condescend to any Treaty before *Holland* made the first Overtures in Writing. Whereupon the States of *Holland* upon the 18th of *March*, by their Secretary *Herbert Van Beaumont*, sent the *Rump* a canting and equivocal Letter, wherein I cannot find one Categorical Proposition, and wherein the sacred Name of God is more rent and torn than I can find in any of our Enthusiasts; of their Zeal for the Reformed Religion, much endanger'd by this War, and the Joys the Enemies of it conceived thereby; and of their Desire of preventing the further Effusion of Christian Blood; and carried on by a pious Zeal, and in no wise constrained by any other Consideration: That Consideration may be had what may be done for the Honour and Glóry of God, and the good of each State; whereupon, without doubt, the good God for his Name sake, and by the Inspiration of proper and fit Expedients, will give his Blessing, &c. Which Letter you may read at large in *Stubbe's* Vindication, p. 78, 79. and in *Leo ab Aitzma*, p. 816, 817.

The *Rump* having got this Letter, and to make a further Distraction in the *States General*, sent an Answer the first of *April* 1653, to the *States of Holland*, and a Letter to the *States General*: that to the *States of Holland* was,

That the Inconveniences to Religion in general, and to the Trade and Liberties of each Nation, were such as any Man might have foreseen; and that none could be ignorant how requisite it was for both Nations to preserve a good Correspondence and Amity together; that the English had not omitted any thing on their parts, but the Dutch had assaulted them in the midst of a Treaty for a strict Union; and their Ambassadors had used such Tergiversation, as made them justly imagine that their sense of things was different from what they now professed. That the good Endeavours of the Parliament were answered with unusual Preparations, Acts of Hostility, and other extraordinary Proceedings thereupon. That they had this Comfort and Satisfaction in their own Minds amidst the Troubles and Calamities of War, that they had with all Sincerity done what lay in their Power to obviate all the Evils specified: That they did look upon the Overtures of Holland, if approved by the States General, to be an effectual means for composing this unwelcome War; however, the Parliament having discharged their Duty, would with Patience acquiesce in the Issue of Providence; whereof they had so gracious Experience.

That to the *States General* was, *That there could be no doubt of the sincere Affection and good Will which the English did bear to the United Provinces; so that it might be well imagined, that they were really inclined, by just and honourable means, to extinguish the Fire of War, stop the Effusion of Christian Blood, and restore Amity between the two Nations: That as they had not been wanting in the Beginning to prevent the ensuing Calamities, so they were not altered with Successes from their former good Intentions: That they were ready, upon the Grounds expressed in the Letter from the Provincial States of Holland and Friezland, friendly to compose Differences, &c.*

This Letter had the desired Effect of the *Rump*, for the rest of the Provinces complained, that *Holland* had broke the Union, which that State would have saved by a manifest Lie, in denying they ever wrote such a Letter: However, the rest of the Provinces, fearing the Calamity would be common to them all if the War continued, did consent to a Treaty of Peace with the *Rump*. However, the *Rump*, in their Letter to the *States*, refused to give them any other Title than the *States General*, notwithstanding the Title of *High and Mighty*, obtained at the Treaty of *Munster* not five Years before; nor did they assume this Title, when they returned their Answer to the Parliament of the *Commonwealth of England*.

To these Letters the *States General* returned this Answer to the Parliament of the *Commonwealth of England*, *That they always endeavoured, with a good and sincere Intention, not only to keep, but to augment more and more, all manner of Friendship and Correspondence with the said Parliament; and would now do any thing that might contribute to so pious and Christian an Union, desiring a Neutral Place, and Plenipotentiaries might be appointed forthwith on both sides. But before this Answer was returned, a new face of things happen'd in England; for Oliver had turn'd out the Rump, and set up for himself. How this came about, and what Steps Cromwel took to do this, is now fit to be enquired into.*

Herein I take the Confidence to say, that as the Covenanters subduing the Royalists was the Cause of the Ruin of the Covenanted Parliament; so was *Cromwel's* Victory over the King at *Worcester*, the Ruin of the *Rump*: for *Cromwel*, after that Fight, having nothing to do, set his whole Thoughts how he might, tho not under the Title of King, usurp the Dominion of these Kingdoms, already subdued by the *Rump*; and the *Rump* improvidently enabled him to do it, when upon the 16th of *June 1650*, they constituted *Cromwel* Captain-General, and Commander in chief with- in *Ireland* as well as *England*: which you may read in *Whitlock's Memoirs*, pag. 511. a.

You have heard how *Cromwel* felt the Pulse of the Lawyers and Soldiers for the Establishment of the Nation, and how the Lawyers were of Opinion, that no Settlement could be made without some mixture of Monarchy, and that it was fit that the Duke of *Glocester* should be intrusted with something of a mixt Monarchy; and that *Cromwel's* Opinion was really that a Settlement, with somewhat of a mixt Monarchy, would be very effectual; but this somewhat of a Settlement of mixt Monarchy he reserved for himself: but herein he found three *Rubs*, the *Rump*, the Duke of *Glocester*, and *Monk* in *Scotland*, (who, I verily believe, had a great Awe upon *Cromwel*) whereupon, to remove these two latter, in *February* 1652 he got the Duke of *Glocester* to be sent beyond Sea; and about the same time, or a little before, sent for *Monk* into *England*, and found him pliable to *Cromwel's* Design of setting up himself: but to cover this, he made *Monk* one of the three Admirals at Sea, with *Blake* and *Dean*, tho *Monk* was wholly ignorant of Sea Affairs.

These two *Rubs* thus removed, only the *Rump* stood in *Oliver's* way to set up himself; but before he discover'd this openly, he enter'd into a long Dialogue with Commissioner *Whitlock*, which you may read at large in his *Memoirs*, fol. 523, 524, 525, 526. wherein *Cromwel* takes notice, as well as *Whitlock*, of the Danger of a Victorious Army lying idle in Peace, more than in War; and of their murmuring in not being rewarded according to their Deserts; and that the Army had a strange Disgust against the Parliament for their Pride, Ambition, Self-seeking, engrossing all Places of Honour and Profit to themselves and Friends, and their daily breaking forth into new and violent Factions; their Delays in Business, and Design to perpetuate themselves; their meddling in private Matters, contrary to the Institution of Parliament; their Injustice and Partiality in those Matters, and the scandalous Lives of some of the chief of them: so that unless there be some Authority so full and high as to restrain and keep things in better Order, and that may put a stop to these Exorbitancies, it will be impossible, in humane Reason, to prevent our Ruin.

Whitlock magnifies *Cromwel's* Government of the Army, yet finds great Difficulty how he could reform the Parliament, he being subordinate to them, and having taken his Commission from them, and hopes the greater part of the Members are not such, as *Cromwel* says, when great Matters come before them.

Cromwel answered, My Lord, There is little hopes of a good Settlement by them, really there is not, but a great deal of fear that they will destroy again what the Lord hath so graciously done for them and us: we all forget God, and God will forget us, and give us up to Confusion; and these Men will help it on if they be suffered to proceed in their ways: some Course must be taken to curb and restrain them, or we shall be ruin'd by them.

Whitlock answered, *We our selves have owned them the Supreme Power, and taken our Commissions from them; and how to restrain them after this, will be hard to find out.*

Cromwel. *What if a Man should take upon him to be King?*

Whitlock. *I think the Remedy worse than the Disease.*

Cromwel. *Why do you think so?*

Whitlock. "As to your own Person, the Title of a King would be of no Advantage, because you have the Kingly Power in you already; concerning the Militia, as you are General; as to the Nomination of Civil Officers, those whom you think fittest are seldom refused; and tho you have no Negative Vote in passing Laws, yet what you dislike is not easily carried; and the Taxes are already settled, and in your Power to dispose the Moneys raised; and as to the foreign Affairs, tho the Ceremonial Part be to the Parliament, yet the Expectation of good or bad Success, is from your Excellency; and particular Solicitations of foreign Ministers are made to you only.

"So that I apprehend indeed less Envy and Danger, but not less real Opportunities of doing Good, in your being General, than it would be if you had assumed the Title of King. *Whitlock* after enlarged himself, "How dangerous it would be to *Cromwel* to assume the Title, for that the main Controversy between us and our Adversaries, is to be established in a Monarchy or a Free State, and most of our Friends have engaged with us upon the Hopes of a Free State, and to that end have undergone all their Hazards and Difficulties; if then your Excellency shall take upon you the Title of a King, this state of your Cause will be thereby wholly determined, and Monarchy established in your Person; and the Question will be no more, whether our Government shall be by a Monarch or Free State, but, whether *Cromwel* or *Stuart* shall be our King?

After *Whitlock* desired his Excellency to consider his Condition; viz. "You are environ'd with secret Enemies: upon your subduing the publick Enemy, the Officers of the Army account themselves all Victors, and have had an equal share with you.

"The Success which God hath given us hath not a little elated their Minds, and many of them are turbulent and busy Spirits, and are not without their Designs, how they may dismount your Excellency, and some of them get into the Saddle; how they may bring you down, and set up themselves.

"They want not Counsel and Encouragement herein, it may be from some Members of Parliament, who may be jealous of your Power and Greatness, lest you should grow too high for them, and in time over-master them; and they will plot to bring you down first, or to clip your Wings.

Cromwel thank'd *Whitlock* for his good Advice; then ask'd him, What were his Thoughts for Prevention of the Mischiefs which hung over our Heads?

Whitlock advis'd him to make a private Treaty with the King of *Scots*, whereby he did not doubt, but in the Condition the King was in, but *Cromwel* might secure himself and Friends, and might make himself and Posterity as great and permanent to all humane Probability, as ever any Subject; and provide for his Friends, as well as secure our spiritual and civil Liberties. *Cromwel* heard him, and seem'd displeas'd, and brake off the Discourse; and his Carriage to *Whitlock*, from that time, was altered.

Notwithstanding the manifold Pretensions of the *Dutch* and *Rump*, wherein God's sacred Name was so often exposed to cover their Hypocrisy of sincere Love and Friendship of either State to one another, and of their Zeal for Propagation of the Honour of God, and encreasing the true Reformed Religion, neither State trusted the other, but made all imaginable Preparations for carrying on the War; and the *Rump*, for Encouragement of the Seamen, order'd them some Pay before-hand, and Subsistence for their Families in their Absence; and that for every Ship which shall be adjudged good Prize, 40 *l.* per Tun, and 6 *l.* for every Piece of Cannon taken or found in Prize-Ships, and 10 *l.* for every Piece of Cannon which should be taken on board of any Ship they should take or fire, to be distributed to the Seamen according to their Qualities; and that whosoever should enrol themselves in the Parliament's Service within 40 Days, should receive a Month's Pay, not to be pass'd upon Account; and Hospitals provided for sick and wounded Men. This was in Jan. 1652.

Cromwel's Ambition to be uppermost, could no longer be suppress'd; but now the *Rump* being the only Obstacle, he first set the Officers of his Army to bait the *Rump*, which they did with the Words *Cromwel* put in their Mouth, and which he before declared to *Whitlock*.

During these Commotions, *Doleman* and *Hugh Peters*, set on by the *Dutch*, did make very submissive Applications to the Council of State and *Rump*, confessing they were not able to contest with the Puissance of England; offering to acknowledg to the English the Sovereignty of the British Seas, and to pay 300000 *l.* to the *Rump*; but the *Dutch* above all things dreading the *Rump*, animated *Cromwel* with the Promise of a far greater Sum, in case he would depose the *Rump*. See *Stubbe*, pag. 81.

If the *Dutch* dreaded the *Rump*, the *Rump* did not less dread *Cromwel*, and therefore made their Application to *Monk* for Protection, but failed, for *Cromwel* had gain'd him before, and he discovered all to *Cromwel*, and that he had no Concern for them,

nor Obligation to them, as you may see in Dr. Gumble's *History of Monk's Life*, pag. 73. So that *Monk* was not now of the same Mind as he was afterward when *Lambert* turn'd the *Rump* out of doors.

All other Obstacles thus removed, and *Cromwel* heightened in his frantick Resolutions, by the Expectation of Mountains of Gold from the *Dutch*, upon the 20th of April, with a Party of Soldiers with him, marched to the House, and led a File of Musqueteers in with him, and the rest he placed at the Door of the House, in the Lobby; and entering the House in furious manner, bid the Speaker leave the Chair, and told the House, "That they had sat long enough, unless they had done more Good (*I could have told him, they had done two good Deeds for him; one, in taking away the King's Life, to let him into his Throne; the other, that they had made him General, to enable him to turn them out of doors*) "That some of them were Whore-masters, looking towards *Henry Martin* and *Sir Peter Wentworth*; That others of them were "Drunkards, and some corrupt and unjust Men, and scandalous "to the Profession of the Gospel; and that it was not fit they "should sit any longer as a Parliament, and desired them to go away.

But the Speaker not stirring from his Seat, Col. *Harrison* took him by the Arm to remove him from his Seat; which when the Speaker saw, he left the Chair: Some of the Members rose up to answer *Cromwel*, but he would suffer none to speak but himself. He bid one of the Soldiers Take away that Fool's Bawble, the Mace; and stay'd himself till all the Members were out, and then caused the Doors to be shut up.

We will look upon this Act in a threefold Consideration; viz. In the Doers; to whom done; and in the Manner of it.

1. The Doers were the *Rump's* Servants, raised by the *Rump*, and no ways provoked by the *Rump*. So little do Benefits received by ill Men create any Obligation of Gratitude in those who receive them.

2. The *Rump* were a Parliament which were impowered to make War or Peace, or were not; if they were not, then *Cromwel* and his Assistants Commission from the *Rump* to judg the King to Death, and all the Acts of Hostility which they did during these Wars, were Murder or Rapine: but if they were a Parliament, who might grant Commissions in War, and make Laws, then *Cromwel* and his Assistants were greater Rebels and Violators of the Liberties of the Nation, than either the Irish or Scots were against the King, or the Royalists against the Parliament; for the Irish and Scots pretended Grievances and Oppressions against the present Powers, whereas *Cromwel* and his Assistants pretended not one categorical Complaint against the *Rump*; and the Royalists fought to preserve the Establish'd Laws and Constituti-

ons of the Nation, which Cromwel and his Assistants did not. Besides, herein Cromwel and his Assistants assumed a Power above Regal, in deposing the Rump, if it were a Rightful Parliament, which the King could not do without their Consent.

3. For the Manner of Cromwel's Deposing the Rump, it was so barbarous and rude, as I do not think you will find the like among the most Savage People, unless it were when Cromwel and his Agents deposed the Secluded Members: Yet sure there was a Divine Justice in both; for as the Covenanting Members expelled the Royalists for not taking the Covenant, or joining with them in the Innovations which the Covenanters brought into the Church and State; so Cromwel and the Rump expelled them for their Covenanting, and set up themselves instead of them; and now Cromwel does the like by the Rump, to exalt himself.

Thus, by their own mercenary Servants, and not a Sword drawn in their Defence, tell the Haughty and victorious Rump, whose mighty Actions will scarcely find Belief in future Generations; and to say the Truth, they were a Race of Men most indefatigably industrious in Business, always seeking for Men fit for it, and never preferring any for Favour, nor by Importunity. You scarce ever heard of any revolting from them in England, Scotland, or Ireland, during their time, except by the Levellers, 1649. See Whitlock's Memoirs, fol. 385, 386, 387. No Murmur or Complaint of Sea-men or Soldiers employ'd by them either by Sea or Land, for want of Pay: In all the Ports of England, during the Dutch War, Money or Credit was found to pay off the Sea-men whenever their Ships were designed to be laid up. Nor do I find they ever press'd either Soldiers or Seamen in all their Wars. And as they excelled thus in their Management of Civil Affairs, so it must be ow'd, they exercised in Matters Ecclesiastick no such Severities as either the Covenanters, or others before them, did upon such as dissented from them.

And as the Rump were thus industrious and victorious in War, so were they not negligent in reforming the Abuses in the Practice of the Common Laws; and to that end, in October 1650, order'd that all the Books of the Laws be put into English, and that all Writs, Process, and Returns thereof, and all Patents, Commissions, Indictments, Judgments, Records, and all Proceedings in Courts of Justice, shall be in the English Tongue, and not in the Latin, or French, or any other Language. See Whitlock's Memoirs, fol. 459. a.

The Rump further ordered a Committee for regulating the Law; and the Committee reported the Draughts of several Laws, viz.

1. The taking away Fines upon Bills, Declarations, and Original Writs.

2. Against

2. Against Customary Oaths of Fealty and Homage to the Lords of Mannors.

3. For taking away common Recoveries, and unnecessary Charge of Fines, and to pass and charge Land intailed, as Lands in Fee Simple.

4. For more speedy Recovery of Rents.

5. Touching Pleaders and their Fees.

6. For more speedy regulating and easy Discovery of Debts and Damages, not exceeding 4 l. and under. See *Whitlock's Mem.* fol. 504. a.

Whether the *Rump* passed these into Laws, I do not find; but if they did not, they might have done, if *Cromwel* had let them alone: and they sat not four Years and three Months.

But how industrious and victorious soever the *Rump* was in War, they were not so wise in Counsel, by making the *Act of Navigation*: and tho we have before demonstrated the manifold Mischiefs and Inconveniences which this Law has brought upon this Nation, and shall more particularly hereafter (if God pleases) in Answer to those Reasons which Sir *Josiah Child* and Sir *Francis Brewster* pretend in Defence of it; yet it's fit that we here shew, how that the *Rump* was mistaken, as well in the End, as Causes of this Law.

If we look upon *Britain*, it is an Island, and divided into two Kingdoms, *England* and *Scotland*; and both these Kingdoms, before they were united under one King, viz. *James I.* by immemorial Prescriptions, were possessed of the Sovereignty of the Sea adjoining their Coasts, wherein no Nation (before King *James I.*) presumed to fish, without Agreement or Leave first obtained from those Kings.

The first who presumed to fish in these Seas, without such Licence or Agreement, were the *Dutch*; yet never disputed their Right to it, before *Grotius* (and he only that I can find) disputed it. The *Dutch* Fishery upon the Coasts of *England* and *Scotland*, is the Foundation of all the *Dutch* Greatness at Sea, and wherein they employ more Shipping and Mariners than the *English* do in all their foreign Trades; with this further Advantage to the *Dutch*, that they have all their Mariners at home, or near home, so that they are always ready, upon all Occasions, to serve the *States*; and there being but little Difference of Climate, are healthful and strong: whereas the *English* in their long Voyages, especially to the *East* and *West-Indies*, are far from assisting the Nation in time of need; and by the Diversities of Climates, and eating over-salted Meats, and drinking fowr Drinks, causes such Sickness and Mortality amongst them, that it's a Question, whether we lose more Sea-men, or make more Mariners in them; and those which survive are so feeble, that a healthy Mariner will beat two of them.

The *Rump* therefore should have considered from what Cause the *Dutch* were enabled to carry on this Fishery in Foreign Trades exclusive to the *English* : And first negatively, That the *Dutch* were not enabled to do this from any Principals of their own, for they had neither Timber to build Ships, nor Pitch, Tar, Hemp or Flax, or Iron for fitting them up ; nor Salt to cure their Fish ; their Ports from which they fished, not half so good, or a quarter so many as the *English* ; and the Coasts upon which they caught these Fish, more convenient for the *English* than the *Dutch*, and an *Englishman* of a stronger Constitution than a *Dutchman*, and tenfold more ; so that herein the *English* had all natural Advantages above the *Dutch*. Now let's see how the *Dutch* could do this.

The *English*, tho there were tenfold more Men in *England* than in *Holland*, could not employ one Man to ten which the *Dutch* employed in their Fisheries upon the Coasts of *England* and *Scotland*, for these Reasons. First the *Dutch* employed and gave Encouragement to all sorts of People in these Fisheries, as well Foreigners as Natives ; whereas Foreigners fishing from the *English* Ports, is denied by a Law in *England* ; nor are Foreigners only excluded herein, but all the Ports of *England*, being Corporations, the Freemen in them make the rest of the Nation Foreigners to them : so that the Fisheries upon the Coasts of *England* and *Scotland*, between the *English* and *Dutch*, are of a general Freedom in the *Dutch Netherlands* ; and the Freemen of the Ports of *England*, who being few, and generally Beggars, have few Men, and less Means, to be Competitors with the *Dutch* in these Fisheries. But the *Rump* not considering these Causes, but restraining this Fishery only to *Englishmen*, at least three Fourths *English*, have made the *English* in no Capacity to be Competitors with the *Dutch* in the Foreign Trades of the Fish caught upon the Coasts of *England* and *Scotland* : besides the *Dutch* had their Agents, Factors, and Correspondents in *France*, *Spain*, *Portugal*, *Italy*, and other Places, for a Market for the Fish they caught, whereas the Poverty of our Corporation-Men denied the *English* this Benefit.

The *Rump* in making the Act of Navigation, did not consider that the Fish caught on the Coasts of *England* and *Scotland*, cost nothing but the catching ; so that they who can catch them cheapest, and cure them best, are sure of a Foreign Market against them whose Charges are more, and they ignorant in the Curing of them : The *Rump* therefore restraining the *English* to fish in Ships 40 per Cent. dearer than the *Dutch*, and 40 per Cent. dearer sailed, (and who knew not how to cure *Herring* and *Cod-fish* so well as the *Dutch*) has eternally fixed the Fisheries in the *Dutch*, exclusive to the *English*, so long as the Act stands in force ; and how this has made good the Title of their Act, *For Encouragement of increasing Shipping and Navigation*, let any Man, not in the Temper the *Rump* was when they made this Act, judg.

The

The Rump should have encountred the *Dutch* with their own Weapons, and made all the Ports of *England*, not only free to all *English* in these Fisheries, but to Foreigners; and made them free to import all sorts of Timber for building Vessels for these Fisheries; as also for rough Hemp, Flax, Pitch and Tar, for fitting up Vessels for these Fisheries, so as we might have had the Materials as cheap as the *Dutch*; and also have given Rewards and other Encouragements to Foreigners to instruct us how to build Vessels as cheap and convenient for the Fisheries as the *Dutch*, and how to cure them; and denied the *Dutch* the Benefit of drying their Nets in the Fisheries, or to take in fresh Water or Provisions in their Fisheries, as the *Dutch* do to the *English* in their Plantations in the *East-Indies*; and have taken off the Imposts in *England*, which the *Dutch* pay in *Holland*; and then the Rump might have beaten the *Dutch* out of these Fisheries without fighting with them, and made our Maritime Towns as great and flourishing as those in *Holland*. But the Temper the Rump was then in would not admit of any of these Considerations; and it's admirable to me, that all the Parliaments since have been of the Rump's Temper herein, and never taken these things into Consideration; tho the Coast-Towns of *England* are not only ruined by the Act of Navigation hereby, and the Fisheries not only on the Coasts of *England* and *Scotland*, but those to *Iceland* and *Greenland*, ruin'd only by this Law, without possibility of retrieving them, so long as it stands in Force.

If the restraining the *English*, in their Fisheries, to *English*-built Ships, and sail'd by *three fourths English*, be so pernicious to the *English* in our Fisheries, the Reasons are the same in the Foreign Vent of our Native Commodities: for obliging the *English* to vend the Manufactures of the Nation in these near double as dear built Ships, and sail'd by near double Men, and permitting the *Dutch* to buy our Manufactures, the *Dutch* by their Cheapness, and more convenient building of Ships, has outed this Nation of their Navigation to *Muscovy*, and all the Kingdoms and Countries within the Sound with them, as much to the Encrease of the *Dutch* Navigation, as the lessening of the *English*.

And as this Law is so injurious to the *English* in our Fisheries, and Foreign Vent of our Manufactures, so it is not less in the Importation of Foreign Commodities, by restraining the Import of them to *English*-built Ships, and sail'd by *three fourths English*, and the Natives of those Places from whence they shall be imported, whether they have Ships or not. I'll give but two Instances herein, viz. in our Trades to *Norway* for Timber, Pitch and Tar, and to *Liefland* and *Prussia* for rough Hemp and Flax; for which Trades the *English* never built one Ship since this Act; and by reason of the Dearness and Inconveniences of our *English* Ships in these Trades, the *Norwegians* have encreased their Navigation from

6 Ships

6 Ships of about 60 Tun, to above 200 of three, four, five and six hundred Tun; and the *English* pay near double the Price for these they did before the Act.

And as the Inhabitants of *Liefland* and *Prussia*, rarely or never trade with us in rough Hemp and Flax; so the *Dutch* importing these by the Cheapness of their Navigation one third cheaper than the *English*; and when they are made into the Manufactures of Cordage, Sails and Nets, the *Dutch*, by the Act of Navigation may import them; whereby the *English* in their Fisheries, and the Foreign Vent of their Commodities, have lost the Manufactures of them, and by a Foreign Expence buy them of the *Dutch* and *French*, as much to their enriching and Employment of their People, as to our Impoverishment, and the Loss of employing ours. It's fit to give this light Touch of the Mischiefs and Inconveniences this Act has brought upon the Nation; but hereafter I shall enlarge upon them, when I reply upon Sir *Josiah Child* and Sir *Francis Brewster's* Defence of it, as before.

CHAP. II.

A Continuation of this Treatise during the Usurpation of Oliver Cromwel.

WHEN Men forsake the plain and foreknown Ways of Justice and Righteousness, they not only run into Confusion, or contrary Extreams; but these they endeavour to sanctify by previous swearing to them, and imposing them upon other Men. In *Scotland* 1638, the *Scots*, without the King's Consent, made their Covenant, wherein they abjure Episcopacy, and swear a mutual Defence of one another herein, against all Persons whatsoever, without excepting the King; and imposed this upon all Sorts of People with Violence, and Menaces, as beating, tearing of Clothes, drawing of Blood, and exposing thousands to Injuries and Reproaches; and notwithstanding several Laws to the contrary, expelled all Professors of Colleges, and Ministers out of their Places, who refused to subscribe their Covenant. See *Baker's Chron.* fol. 461. a.

To encounter the *Scots* Covenant by a contrary Extream, the *English* Convocation, in the Year 1640, after the King had dissolved the Parliament, imposed, without Consent in Parliament, an Oath, wherein they swear, *That they approve the Doctrine and Discipline of the Church of England, as containing all things necessary*

to Salvation; that they will not endeavour to bring in any Popish Doctrine contrary to it: That they will not consent to alter the Government of this Church, by Arch-Bishops, Bishops, Deans and Arch-Deacons, &c. as it now stands, and ought by right to stand; nor to subject it to the Usurpations and Superstitions of Rome: That this they do plainly and sincerely acknowledg and swear, and do it heartily and willingly. Thus was God's Sacred Name exposed to cover their Ambitious Designs, on both sides, and for which neither gave any Reason. Nor did this Convocation stay here, but imposed, without Consent of Parliament, six Subsidies upon the Clergy, to be paid in six Years, for carrying on a War against the Scots, the refusers to be suspended and excommunicated: Thus you see now, *In Nomine Domini*, on both sides, these Feuds began at the Clergy; and the King to secure the Convocation, set Guards about Westminster Abby.

Here let's examine and compare these two Oaths: The Covenanters in Scotland swear, "That according to their Places and Callings, they shall endeavour the Preservation of the Reformed Church of Scotland, in Doctrine, Worship, Discipline and Government: At this Time there was no Reformed Church in Scotland but the Episcopal, unless the Scots Covenanters erected another: So here the Scots do not distinguish, which Church they swear to endeavour to preserve; nor say what the Doctrine, Discipline, Worship and Government of the Church of Scotland was. So that herein, in the first part of the Oath, they swear equivocally; and in the second, they swear by Implicit Faith, without declaring wherein their Doctrine, Discipline, Worship and Government does consist.

"That they shall also endeavour the Extirpation of Popery, Prelacy, Superstition, Heresy, Schism, Prophaneness, &c. All Oaths are to be taken in Truth, viz. of what a Man knows, or truly intends: Can any Man believe, that every Scot which swears the Covenant, knows what Popery, Prelacy, Superstition, Schism and Prophaneness are, especially when they have an &c. joined to them? I do not believe that ever the Church of Rome, or any other Nation; ever imposed such an Equivocal and Canting Oath, as this Covenant, by a Rout of Men, and contrary to the established Government in being, and against the King's express Will.

And to make all sure, they swear, "to defend all those that shall enter into this Covenant, and shall zealously and constantly all the Days of their Lives continue therein. But God shall soon blast this abominable Swearing, to the Destruction of these Covenanters.

The Oath of the Covenant was purely promissory, wherein they swear what wondrous Acts they would do in Preservation of their Kirk, &c. and for the Extirpation of Popery, Prelacy, &c. and for the mutual Defence of one another. But the first Part of the Convocation-Oath is assertory, wherein they swear, that they approve

approve the Doctrine and Discipline of the Church of *England*, as containing all things necessary to Salvation ; so as there is no further need of searching the Scriptures, and no Man needs further to seek his Salvation with Fear and Trembling, if he be conversant in the Doctrine and Discipline of the Church of *England*. The next part of it is negatively Promissory, that they will not bring in any *Popish* Doctrine contrary to it. The third part of it is partly Promissory, and partly Assertory ; Promissory, not to give Consent to alter the Government of this Church by Archbishops, Bishops, Deans, Arch-Deacons, &c. Assertory, as it now stands, and ought to stand. The fourth part is Promissory, not to subject it to the Usurpations and Superstitions of *Rome* (*without declaring what these were.*) The last part of this Oath is Assertory, That this they do plainly and sincerely acknowledg and swear, and do it heartily, willingly and truly.

Now let's see the Success of this jumbled Oath, and Grant of these Subsidies ; first, the King never got one Groat of them. Secondly, The very next Year after, *viz. March 10th*, the Commons voted that no Bishop should have any Vote in Parliament ; nor any judicial Power in the *Star-Chamber*, nor Authority in Temporal Matters ; and that no Clergy-man shall be in Commission of the Peace : and upon the 22d of *June* the High Commission Court, and *Star-Chamber* (wherein *Laud* and the Prerogative Clergy plaid their Pranks) were abolished by Act of Parliament : and soon after, *viz. January 12th*, Twelve of the Bishops were committed to the Tower for High Treason, for protesting against all Votes and Orders of the Lords during their Absence ; and soon after the King passed a Bill for taking away the Bishops Votes in Parliament ; so little Success had the Clergy in their Convocation-Oath.

As the Clergy, without Consent in Parliament, imposed the Convocation-Oath upon the rest of the Clergy : So the Parliament, (I mean the Lords and Commons) without the Consent of the King, imposed upon the Subjects a Vow and Protestation to maintain and defend, so far as lawfully may be, the true Reformed Protestant Religion, expressed in the Doctrine of the Church of *England*, and according to the Duty of the Allegiance to his Majesty's Royal Person, Honour and Estate, to defend the Privileges of Parliament, and Liberties of the Subject ; and by all just and honourable Ways, endeavour to preserve the Union and Peace of the Three Kingdoms ; and neither for fear, nor other respect, relinquish the Promise, Vow and Protestation. See *Baker's History*, fol. 508. b.

But the Lords and Commons were not constant to their Vow ; for within less than two Years after, they impose their Solemn League and Covenant (being basely imposed upon them by the *Scots*) upon the rest of their Fellow-Subjects, with all the *Scottish Cant*, and

&c. too ; and this is observable, that the *Presbyterians*, who so bitterly inveighed against the *&c.* in the Convocation-Oath, without any scruple swallowed the *&c.* in their Solemn League and Covenant. It's scarce credible, by what Severity this Covenant was, after the *Scots* Temper, imposed upon all other sorts of Men, as well Dissenters from the Church of *England*, as those of the Church.

This Temper was too hot to last long ; for about three Years after the *Independents* outed the *Presbyterians*, and set up the Engagement to be true to the *Rump*, without King or House of Lords ; nor did this Engagement last five Years, but was outed when *Cromwel* set up himself, and imposed the Recognition for establishing himself. Now let any shew, how in any Nation since the Creation, in less than 13 Years time, Men so often swear and forswear Governments, which were so often changed, and he shall be my great *Apoile*.

The Secluded Members, and the *Rump*, if you'll take their Words, were the Representatives of the People, (but without a Head) and could not be dissolved by the King without their Consent ; yet *O. Cromwel* and his *Myrmidons*, without their Consent, dissolved them both. And as these were Bodies without a Head, so *Cromwel* and his Army, (like that of the *Egyptian Mamalukes*) were a Monstrous Head without any Body of the Nation, yet with this Difference, the *Mamalukes* chose their Sultan, but *Cromwel* exalted himself without the Army's Choice.

The first *Manifestio* that *Cromwel* made known to the Nation, was this, *I Oliver Cromwel, Captain General, and Commander in Chief of all the Armies and Forces, raised and to be raised within this Commonwealth, &c.* So here *Cromwel*, by his own Authority, makes the Army perpetual, having deposed the Parliament, which were made perpetual by Act of Parliament.

I have often admired upon what Bottom *Cromwel* stood when he presumed to do these things ; for the *Seſtaries* and *Fifth Monarchy-Men*, who were the Creatures whom he at first most relied upon, when they perceived his Ambition, then became his utter Enemies ; the *Presbyterians* and *Independents* hated him for the Violences he put upon them ; and the *Royalists* both dreaded and hated him.

All Kings of *England* in their Coronation-Oath before, swear to govern by the received Laws and Constitutions of the Nation ; but *Cromwel* having subverted these, neither says nor swears by what Laws or Rules he'll govern : and tho both in the *Saxon* and *Norman Dynasties*, the Hereditary Succession of the Kings was often changed ; yet none succeeded which was not of the Royal Blood (which cannot be said of the *Caroline* and *Capusian* Lines of *France*, nor in the Succession of the Race of the Kings of *Spain*) yet *Cromwel*,

wel, without Law, or being of the Royal Blood, made himself more absolute than any of our Kings before him.

Now *Terras* (I am sure *Britannias*) *Astraea reliquit*; Justice, Truth and Plain-dealing is fled the Land, and Diffimulation, Hypocrisy, Intriguing and Designs rove all *England* over, and *Cromwel* to support his ill-establish'd Greatness, sets all his Agents and Sycophants on work to congratulate and approve his Actions, and to stand by and assist him. One of the first of these was from the Officers of the *English* Army in *Scotland*, (no doubt but excited by *Monk* in the State he stood then with *Cromwel*.) So that as from *Scotland* our Civil Wars first began, and from thence their solemn League and Covenant was so rigidly imposed in *England*; so from thence now come Congratulatory Addresses to *Cromwel* for overturning all they had done; and a time shall come when a Storm shall come from *Scotland*, which shall disperse and unravel all that the *Covenanters*, *Rump* and *Cromwel* had done; thus you'll see how lame-footed Vengeance shall overtake them all. Having seen how *Cromwel* established himself, we'll proceed to see the Success.

The *Dutch* above all things dreading the *Rump*, animated *Cromwel* to dissolve them, promising greater things to him than they had done to the *Rump* in case he would do it, which being done, the *Dutch* (not unreasonably) hoped by the Disorders which would arise in *England* by it, they should be better able to deal with *Cromwel* than the *Rump*; and, notwithstanding their calling God to witness of their sincere Love and Affection to the *English* Nation, and desire of propagating the true Reformed Protestant Religion, with all imaginable Diligence, set out a greater Fleet to Sea than they had done before, and *Trump* gave out he would fire the *English* Ships in their Harbours and the *Downs* before the *English* Fleet should get out.

But the *Rump*, who well understood what Faith or Credit was to be given to the *Dutch* Protections, were not behind-hand with the *Dutch* in their Naval Preparations, which *Cromwel* found ready to fight with the *Dutch*; and sooner than the *Dutch* look'd for, the *English* Fleet commanded by *Monk* and *Dean*, *Penn* Vice-Admiral, and *Lawson* Rear-Admiral, upon the second of *June* engaged the *Dutch*, and at the beginning *Dean* was kill'd by a Cannon-Ball, but the *Dutch* fore pressed upon by the *English* bore away, and made a running Fight, having a Ship of 42 Guns sunk by *Lawson*, and 140 Men in her; but the Winds blowing cross, the *English* could not that day do much more Execution.

Next day *Monk* engaged the *Dutch* Fleet again, and sunk six of their best Ships, two were blown up, and eleven taken, one Vice-Admiral and two Rear-Admirals, with two of their Hoys, and thirteen hundred and fifty Prisoners; and of the *English* not one Ship was lost or disabled, and besides Admiral *Dean*, but one Captain killed.

The Dutch thus balk'd of their Expectation of firing the *English* Ships in their Harbours, and in the Downs, send *Beverning*, *Newport*, *Vande Parro* and *Jonstal*, to *Cromwel* and the new Council of State (for *Cromwel* had discharged the old one.) And *Beverning* repeats the former Cant of calling God the Searcher of all Hearts to witness, the sincere Affections of the States towards the Commonwealth of England; and prayed that God with his Holy Spirit might preside at all their Consultations, and bless their Government and the Nation, with all Prosperity and Happiness, and desired that the Memory of the past Actions might be obliterated, and a perfect Amity and indissoluble Union, and more entire Correspondence than ever might be established between the two Nations; and concluded, That the Great, most Good, and most Merciful God would preside in their Councils with his Spirit of Peace.

To this Cant the Council return'd a peremptory Answer, That without Satisfaction for what had been asked against England, and besetting Security that no such thing should be attempted again, they could not proceed to any League or Alliance.

But rather than submit to this Introduction of a Treaty, the Dutch resolve to try once again their Fortune by War, and fit out the greatest Fleet they could, to be again commanded by *Van Trump*. These were encountred by *Monk*, who fought them on the 29th and 30th of July, and took and sunk 30 of their Men of War, whereof eight were Flag-Ships, and retook the *Garland*, formerly taken by the Dutch from the *English*, kill'd *Van Trump*, and took above 1000 Prisoners, whereof Vice-Admiral *Evenison* was one; and 'twas conjectur'd 6000 of the Dutch were kill'd and drowned, no Quarter being given during the Fight.

In this Engagement the *English* had but two Ships fired, whereof the *Oak* was one, but most of her Men were saved, but had 250 Men slain, and 700 wounded; of the slain were Capt. *Cox*, *Graves*, *Chapman* and *Peacock*; of the wounded were Capt. *Stokes*, *Seaman*, *Ross*, *Holland* and *Cubi*.

Between these Fights, viz. July 8. *Cromwel*, by the Title of, *Oliver Cromwel*, *Captain General*, and *Commander in Chief* of all the Forces raised and to be raised within this Commonwealth, summons 144 (which was twelvefold the Number of the Tribes of *Israel*) of his own Nomination, to take upon them the supreme Government of the Nation. These were *Anabaptists* and *Fifth-Monarchy-Men*, *Cromwel* believing them to be the properest Instruments to do his Journey-work, but was mistaken.

Upon the 4th of July, 120 of these appeared at *White-Hall*, and being set round a Table in the Council-Chamber, *Cromwel* and the Officers of the Army standing about the middle of the Table (this was such a *Rav-Show* as ne're before was seen in fair *Albion's* Isle) *Cromwel* made a Speech to them, shewing the Cause of their

their Summons, and that they had a clear Call to take upon them the Supream Authority of the Commonwealth, and urged divers Places of Scripture to admonish them to do their Duties.

Then *Cromwel*, to manifest the Clearness of their Call, produced an Instrument under his own Hand and Seal, whereby he did, with the Advice of his Officers, devolve and intrust the Supream Authority and Government of this Commonwealth into the Hands of the Persons then met. *It seems then the other 24 which were not yet come up had no part of the Supream Authority and Government of the Commonwealth, but a less Number may do the Work.*

For *Cromwel* then tells them, that any forty of them are to be held and acknowledged the Supream Authority of the Nation, and all Persons within the same are to yield Obedience and Subjection. Yet this clear Call binds them to sit no longer than the third of *November*, and that three Months before their Dissolution they make Choice of other Persons to succeed them, who are not to sit longer than a Year, and to be left to them to take care for the Succession of the Government, and so *Cromwel* and his Officers left them: But he had as good said nothing, for his Supream Authority sat longer than the third of *November*, yet never made choice of other Persons to succeed them, nor took any care for the Succession of the Government.

However this Thing, or Creature of *Cromwel's*, calls it self a Parliament; and because one *Praise God Barebone* a Leatherfeller, was a famous Member in it, 'twas called *Barebone's Parliament*, and they chose one *Rouse* their Speaker. But how Godly soever *Cromwel* seem'd to appear by his divers Texts of Scripture, in devolving the Supream Authority of the Nation upon these Men, yet he retained the Wisdom of the Serpent, and by his own Authority imposed six Months Assessments upon the Nation, which you may see in *Baker's History*, fol. 618. b. which *Whitlock* takes no notice of; and if he had not, it's a Question whether his chosen Creatures, *The Supream Authority of the Nation*, would have done it.

Barebone's Parliament was so highly pleased with *Monk's* Victory over the *Dutch*, that they order'd a Day of Thanksgiving for it, with a Narrative to be publicly read, and also several Chains of Gold to be given to *Blake* (tho he was in neither of these Fights) *Monk*, *Penn* and *Lawson* for their good Service; and a Gratuity to all the other Officers and Seamen according to their Quality over and above their Pay. This is observable, that *Cromwel* himself put the Chain of Gold, and the Medal with the Representation of a Sea-Fight, which *Barebone's Parliament* had given *Monk*, about his Neck, and having invired *Monk* to Dinner, made him wear it all the while. See the *History of Monk's Life*, p. 77.

Whilst *Cromwel* and his Supream Authority were thus jolly in *England*, all was in Confusion and Distraction in *Holland* (I mean the

the *Dutch* Provinces) the common People obey'd no longer their Government: The *Placarts* of the *States General* were despised, and they in danger to be ruined and plunder'd by the ignorant and impetuous Rabble. The *Dutch* Ambassadors here could obtain no other Terms of Peace than by a Coalition, Satisfaction for Damages received by the *English*, and Security for the future, that the *Dutch* should not do the like again, and that the *Dutch* take a Lease for 21 Years for Fishing, and to pay an Annual Rent.

The Council thus resolute, the Plenipotentiaries tried what Terms of Peace might be had from *Barebone's* Parliament: But these took the *Dutch* to be the Outworks of *Babylon*, which must be taken down before there could be any coming at the main Fort: They looked upon the *Dutch* as Carnal and Worldly Politicians, Enemies to the Kingdom of *Christ*, and such as would upon all occasions retard the Progress of the Saints and People of God, in overturning the Powers of this World: That *Antichrist*, the Man of Sin, could never be destroyed in Italy, whilst the *Dutch* retained any considerable Strength in the United Netherlands.

They did not insist upon the Flag, nor Dominion of the Seas, but held it necessary in order to the Coming of *Christ*, and his Personal Reign, that the Seas should be scoured and preserved as peaceably as the Land, that both ought jointly to submit to the Power of King *Jesus*, whose Ways they, and not the *Hollanders*, were to prepare: They allowed the Procedure of the *Dutch* by Petition, since the Power of the Council of State was all one with that of the Saints, and theirs derived from him to whom all Power is given: And upon that account the *Dutch* ought to continue their Addresses of *Meseignours*, & *Trefallantes* Seignours, to the Council of State, not in the sense they are forbidden in the Gospel, but that whereby our Lord *Christ* assumes such Titles, and confers them on the Saints: That the Saints therefore might tolerate them, and the *Dutch* ought not to refuse them, lest it should be a Rejection of the Kingdom of *Christ*, which was now approaching: That the *Dutch* ought to kiss the Son lest he be angry, and should have a care how they contemn his Holy Ones, lest they were chastised with the Rod of Iron. See *Stubbe*, p. 91, 92.

The *Dutch* were now more confounded and perplex'd than ever, it was difficult to treat with, and impossible to prevail upon these Men: They were now in danger to be ruin'd as Enemies to *Christ*, rather than *England*; and a Coalition with *England* would not satisfy, except they likewise annexed their Provinces unto the Fifth Monarchy.

In *Holland* the Provinces met to consult what to do; the Opinion of *Holland* was never to enter into a Coalition with *England*, but that a strict League defensive should be proffered; that they ought to contract Foreign Amities, especially with *France*, and to equip out a Fleet with all possible Expedition: Yet they had little reason

reason to expect much Help from *France*, being then imbroiled in Civil Wars; besides, they had so juggled with *France*, and falsified their Faith since the Treaty at *Munsler*, that they had little reason to expect Help from *France*. The other Provinces were for entering into a League with the Elector of *Brandenburgh*, and other *German* Princes, and giving Assistance to the *Scots*, for at this time Major General *Middleton* was raising some Tumults there; but their Necessities were present, and these Treaties remote and dangerous, they could not get any great Benefit by a Treaty with the *German* Princes, they having (except *Brandenburg*, who had but little) no Power at Sea. Besides, these Alliances would cost dear, and the *Dutch* pretended they were poor, and also such an Alliance would prove dangerous; for the Elector of *Cologne* might demand the Restitution of *Rhineburg*, *Orsoy*, *Rees*, and other Places which the *Dutch* had filch'd from that Electorate; so might the Elector of *Bradenburgh*, of *Wesel*, and other Places wherein the *Dutch* kept Garisons above 40 Years; besides, they feared the Emperor might claim in right of the Empire; and little good could be expected from assisting the *Scots*, without being superiour at Sea, and sending a Land Army, which the *Dutch* could not spare.

They therefore gave Orders to their Plenipotentiaries, to protract time according as they saw Disorders to encrease between *Cromwel* and his Supream Authority; to be ample in the Generals concerning the Defence of the Reformed Religion, and of the Household of Faith, to reject the Coalition, to offer to enter into a strict and intimate League, but deal as tenderly as they could in point of Reparation, Satisfaction or Security.

All these things were known to *Cromwel*'s Council of State, and they resolv'd to handle them accordingly; and when these were communicated to *Barebone*'s Parliament, they said, it was no more than was prophesied in Scripture, and in course to be expected, that the Gentiles should rage, and the Kings of the Earth set themselves against the Kingdom of Christ; but they should fall before him, and be broken in pieces. That they were fierce to encounter Gog and Magog, and by a series of Victories inflam'd to encounter this Antichristian Host. It's tedious to set forth the manifold Tautologies recited by *Stubbe* and *Leo ab Aitzma*, who could not err herein, and all the *Dutch* Cant in securing the true Reformed Religion, and of their love and desire of the Prosperity of the *English* Commonwealth.

The Council of State since the *Dutch* refused a Coalition, and thereby became our Equals, resolv'd to make them humble without it, and therefore impose 27 Articles upon the *Dutch*, which may be seen in *Leo ab Aitzma*, p. 837, &c. But Mr. *Stubbe* mentions but five, viz. the third, twelfth, fourteenth, fifteenth, and seventeenth, besides Satisfaction and Reparation made for

several Wrongs, Injuries, and Depredations, done and committed upon the *English*, as well in the *East-Indies* as elsewhere, by the People of the *United Provinces*, with Power nevertheless of the Council, to add, alter, and enlarge the said Articles, or any of them, before the Conclusion of the Treaty, as they shall find occasion for the same in the future Management thereof.

The 3d Article was, *That the Ships, Guns, and Furniture, and the Goods and Merchandizes, and other things, which had been taken in Harbour or at Land from the Dutch by the English, during the War, should be accounted as part of Satisfaction and Reparation for the Charges and Damages which the English had been put to during the War: And the States General should pay to the English such further Sum for Reparation as aforesaid, and in such manner as shall be agreed upon by this Treaty: And thereupon all Offences, &c. to be forgotten.*

The 12th Article obliges them, *Not to permit the Prince of Orange, or the Princess Mary, to relieve with Counsel, or Viſuals, any Rebels or Enemies of the Commonwealth of England, &c. and to seclude the Prince's Lineage from being State-holders, Admiral, General, or Governour of any of their Towns.* I'm perswaded Cromwel was the Contriver of this Article; the Reason you'll see hereafter.

The 14th Article, *That they (the Dutch) were not to enter or pass the British Seas, but with a certain Number of Men of War, to be agreed upon in this Treaty: But in case the States General should have occasion to pass the said Seas with a greater Number of Ships of War, that they should give Notice of their Intentions to the English, and obtain their Consent before they put to Sea.*

The 15th Article, wherein Stubbe follows the *English Manuscript*, and not *Leo ab Aitzma*, which much differs from it. *As the Commonwealth of England have declared their Resolutions, that they will from time to time take care to put forth upon their Seas a convenient Number of armed Ships for the Defence and Safeguard thereof, and to maintain and preserve all lawful Navigation, Trade, and Commerce therein, against Pirates and Sea-Rovers, and all others that shall act or do any thing to the Disturbance thereof; so for the greater freedom of Commerce and Navigation, that neither Commonwealth shall give Reception to any Pirates, &c.*

The 17th Article obliges the *Dutch* to take a Lease for 21 Years for the Fishing, and to pay an Annual Rent. Here note, That tho the *Dutch* pleaded the Grants of the Kings of England to the Dukes of Burgundy, and Kings of Spain, for Licence to fish upon the Coasts of England, which they could no ways pretend to after they had rent themselves from their Subjection to the Kings of Spain, and their immemorial Prescription to fish in these Seas, tho Thoulds were then alive who were born before they became States; yet they were not so impudent to plead *Grotius's Mare Liberum*, that they had as much Right to fish in these Seas, as the *English*.

Thus

Thus far *Cromwel's* Council and the *Rump* went in equal Paces, and the *Dutch* now were in no better state than when *Cromwel* deposed the *Rump*: But two Accidents, which were not in the *Dutch* Power, contributed to their Deliverance from the desperate state they were reduced to; one was *Oliver's* Ambition; the other, the Frenzy of *Barebone's* Parliament: for *Cromwel*, however he accused the *Rump* of Selfishness, was himself much more selfish; for without any regard to the Honour or Interest of the *English* Nation, now makes it his Business to join in a Defensive League with the *Dutch*, against the King and Royal Family, to set up himself and his Posterity. *Barebone's* Parliament was contrary to *Cromwel's* Designs, and he knew 'twas impossible to alter them; and therefore resolv'd one way or other to be rid of them: and the *Dutch* dreaded them; and therefore the *Dutch* Plenipotentiaries told *Cromwel*, that in case he would depose them, and assume the Government to himself, they would be ready to accord with him upon more moderate Terms, and enter into such a Defensive Alliance, as should secure him against his foreign and domestick Enemies: This was the 7th of December. See *Stubbe*, p. 110.

The Frenzy of *Barebone's* Parliament was as intolerable to the Nation as to *Cromwel*; so that no Man could judge of their Designs, or where they would end. Their Prate was, to make way for Christ's Monarchy upon Earth, which they were sure was at hand, now they were got together: therefore they pronounced Priesthood to be Popery; paying of Tithes, *Judaism*; the Laws of England, *The Remains of the Roman Yoke*; Schools and Colleges, *Heathenish Seminaries of curious and vain Learning*; and Nobility and Honour, contrary to the Law of Nature and Christianity.

Tho these had sat above five Months, yet they made but four Laws; one, for punishing seditious Sea-men, caused by their tumultuous demanding their Tun and Gun-Money taken from the *Dutch*, and granted them by the *Rump*: another, For Marrying by Justices of Peace: the third, For Registering Births, and not Christnings: and the fourth, was an Act brought in by Praise-God *Barebone*, Against Building, unless upon old Foundations, within ten Miles of London; tho his Son designs to build London all the Country over upon new Foundations.

But tho *Cromwel* was resolved to be rid of *Barebone's* Parliament, yet he would not proceed in that rude and Russian manner as he did against the *Rump*, but wheedled with *Rouse* the Speaker, and some of his Creatures, that it should be moved in the House, That their sitting longer would not be for the Good of the Commonwealth, and that it would be fit for them to resign up their Powers to the Lord-General again: Whereupon the Speaker, with such Members as would follow him, went to White-hall, and under their Hands resigned up their Power to *Cromwel*. See *Whitlock*, fol. 551.

Dr.

Dr. *Bates*, in his *Elenchus*, pag. 165. says *Cromwel* made a shew of Wonder at it, denying utterly and rejecting it; but at length, with much ado, was prevail'd upon. This was *Decemb. 12.*

The Copy of *Cromwel's* Countenance was quite contrary to his Actions; for tho he seemingly refused to accept of the Resignation made by *Rouse* and his Followers, yet he sent a Party of Soldiers to purge the House of those who stay'd behind; whereof Major-General *Harrison* was one, who would have taken *Lenthal* out of the Chair when *Cromwel* outed the *Rump*. See *Baker's Hist.* fol. 620. a. There was a Mistake in the former Impression in point of Time, That *Cromwel* accepted of the Protectorate by Praise-God Barebone's Parliament, which he assum'd not till four days after, viz. December 16.

Before we proceed to see how *Cromwel* behaved himself after his resuming the Government again, it's fit to see how the Case stood between the *English* and *French* at this time, as also the *Dutch* and *French*, in reference to this War. Tho there was no declared War between the *English* and *French*, yet there often happen'd Acts of Hostility between them, the *French* making Prize of the *English* Ships at Sea, and the *English* much more of the *French*: and upon the 7th of September 1652, the *English* in the Downs iet upon a *French* Fleet laden with Provisions and Ammunition, under the Convoy of so many Men of War as the *French* could well set out, and dispersed the Fleet, and took seven of their Men of War, whereby the *Spaniards* were enabled to retake *Dunkirk* and *Graveling*, taken from them by the *French* in the Year 1646. The next Year, viz. in October 1653, Captain *Hayton* in the *Saphire*, came up to eight *French* Men of War, and shot twice at their Admiral, who returned him a Broad-side, and *Hayton* endeavoured to have boarded her, but she got away: *Hayton* with his single Ship engaged the rest, and took the *French* Vice-Admiral and Rear-Admiral, and another of their Men of War, and many rich Prizes, with the Loss but of four Men, and some wounded. See *Whitlock's Memoirs*, fol. 547. b. So inconsiderable were the *French* at Sea in those Days.

However, the *Dutch* held constant Intelligence with the *French* in all their Negotiations with the *English* during this War, as you may see in *Whitlock's Memoirs*, fol. 568. as appears by Monsieur *Chanute's* Speech to the States; wherein, in this low state of the *Dutch*, he gives them the Title of *High Puissances*: and when the *Dutch* were in their distressed state, in the time both of the *Rump* and *Barebone's Parliament*, the *French* fearing the *Dutch's* Ruin, or such a Peace as the *English* should impose upon them, proffer'd to be at half Charges with the *Dutch* in case they would continue their War with *England*; otherwise the *French* were not able to contribute but little to help them at Sea. Now let's see if *Oliver's*

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Government was as arrogant, impolitic, selfish, and dangerous to the Safety of the Nation, as his first assuming it was rude and barbarous.

After the Supreme Power of the Nation had been thus tumbled from Post to Pillar, from Cromwel to Barebone's Parliament, and from them to Cromwel again; upon the 16th of December, Cromwel and his Officers, after several Days seeking of God, tho it was resolved on before, resolved, That a Council of Godly, Able and Discreet Persons should be named, consisting of 21, and that the Lord-General should be chosen Lord Protector (for King, good Man, he would not be:) but lest he should go too far astray, tied himself up to an Instrument of Government, which he swore to in these Words; *I have accepted thereof, and do declare my Acceptance thereof accordingly; and do promise, in the Presence of God, That I will not violate or infringe the Matters and Things therein contained, but to my Power observe the same, and cause them to be observed; and shall in all other things, to the best of my Understanding, govern these Nations according to the Laws, Statutes, and Customs, seeking their Peace, and causing Justice and Law to be equally administred.*

In the former Impression I followed Cromwel's Instrument of Government, as it is set forth by Dr. Bates; but finding this differ from Mr. Whitlock, not only in the Number of the Articles, but in the Substance of several of them, I shall now follow Mr. Whitlock, as being of better Authority, tho not particularly recite them all, being long; but make Remarks upon several of them, to shew how inconsistent this Instrument was with Cromwel's Oath, and how he observ'd it in his future Actions.

Cromwel's Council was Philip Lord Viscount Lisle (now Earl of Leicester) Charles Fleetwood his Son-in-law, John Lambert, Sir Gilbert Pickering, Sir Charles Woolfsley, Sir Anthony Ashley Cooper (after Earl of Shaftsbury) Edward Mountague (after Earl of Sandwich) John Desborow (his Brother-in-law) Walter Strickland, Henry Lawrence, William Sydenham, Philip Jones, Richard Major, Francis Rouse, and Philip Skipton Esquires.

The 5th Article is, *That the Protector, with the Consent of the major part of the Council, have Power of War and Peace.* How well he observed this in his Peace with the Dutch and French, and War with Spain, will appear afterward.

The 6th Article is, *That the Laws shall not be altered, suspended or repealed, nor any new Law made, nor any Tax, Charge, or Imposition laid upon the People, but by common Assent in Parliament, save only as is expressed in the 30th Article.* How does this Article agree with the 27th, *That a constant Revenue shall be raised for the maintaining 10000 Horse and 20000 Foot in England, Scotland, and Ireland; and 200000 l. per Annum to himself, beside the Crown-Lands: or with the 38th Article, To repeal all Laws, Statutes and* Ord-

Ordinances, contrary to the Liberty Cromwel grants to all tender Consciences (as he calls them) in the next preceding Articles, where he excludes Popery and Prelacy? Or how did Cromwel observe this Article when he imprisoned the Royalists which would not give Security for their Good Behaviour to him? and whether they did or not, took from them the tenth part of their Estates, and put them to Death by his High Court of Justice, as he call'd it.

The 8th Article is, *That Parliaments, after the first Day of their Meeting, shall sit five Months, and not in that time be Adjourned, Prorogued, or Dissolved, without their Consent.* Yet he dissolved the next Parliament (as he called them) within five Months after their first sitting, with their Consent; and if they refus'd, had his Janizaries in *Westminster-hall*, and in the *Court of Requests*, to have forced them, as he did by the *Rump*, (this is true of my own Knowledge) and declared what should be Treason. See *Whitlock's Memoirs*, fol. 563. b.

The 34th Article is, *That the Chancellor, Keeper, or Commissioners of the Great Seal, the Treasurer, Admiral, Chief Governors of Scotland and Ireland, and the Chief Justices of both the Benches, shall be chosen by the Approbation of Parliament; and in the Intervals of Parliament, by the Approbation of the major part of the Council, to be afterwards approved by Parliament.* I deny any of these Officers were ever chosen or approved by Parliament: if any were, it lies upon another to prove them to be so chosen or approved by Parliament.

Thus by manifold Perjuries, deepest Disimulation, Hypocrisy, and foul Ingratitude, *Cromwel* waded through a Sea of Blood in *England, Scotland, and Ireland*, and then deposed them who had raised him, for which he had murdered thousands for but attempting to do what he had done. He aspired to the Dominion of *Britain and Ireland*, which the *Rump* had conquered to his hand; and by *Monk's* Victories over the *Dutch, Holland* lies at his Mercy: so that as *Cromwel* was the most absolute Tyrant that ever raged in *England*, so was he not less terrible to his neighbouring Nations. And now he had it in his Power to do what he will, let's see how like a Beast he did what he did.

Of all our neighbouring Nations, the *Dutch and French* were the most formidable to the *English*; the *Dutch* being not only Competitors with the *English* in Trade, but Contenders with them in the Dominion of the Seas; and the *French* the most formidable and faithless by Land; and of all Nations, the *English* Trade to *France* was the worst, being as much to the enriching *France*, as the impoverishing *England*: *Spain* neither a neighbouring Nation to *England*, except some part of *Flanders*, nor any ways formidable to *England* by Sea or Land; yet of all others, the *English* Trade with *Spain* was the most beneficial and enriching to the *English*.

Now

Now let's see how diametrically contrary to the *English* Interest *Cromwel* acted in every one of these.

After *Cromwel* had assumed the Protectorate, Mr. *Whitlock* says, he observed new and great State, and all Ceremonies and Respects were paid to him by all sorts of Men, as to their Prince; and *Stubbe* says, upon the 20th Notice was given to the *Dutch* Plenipotentiaries, by *Cromwel*'s Master of the Ceremonies, of his being Protector, and how ready he was to treat with them, and how kind he would be to them; but they must pay him the same Honour and Respect which was heretofore exhibited to the *English* Kings, and in their Writings and Discourses give him the Title of *Hightness*, which was in Use before that of *Majesty*; that they not being in the Quality of Ambassadors, but Lords Deputies Plenipotentiaries, must be uncovered in his Presence.

In this state *Cromwel* takes the Treaty of Peace out of the Council's Hands (tho it ill agreed with his Oath to the Instrument of his Government) and upon the 26th of December (but ten Days after his assuming the Protectorate) by his Secretary *Thurloe*, brought the *Dutch* Plenipotentiaries a Writing, wherein the Satisfaction of the 3d Article, demanded by the Council, was wholly omitted; but the Claims of the *East-India* Merchants and others were to be compounded. The 15th Article was changed so, as that neither the Dominion of the Seas was mentioned, nor their Ships to be searched; but they were to strike the Flag, and lower their Top-sail to any *English* Man of War within the *British* Seas: with several other Concessions.

Now the *Dutch* Artifice, after having made so many Protestations of agreeing with *Cromwel* upon better Terms than they would, if he would dissolve the *Rump* and *Barebone's* Parliament, appeared: for notwithstanding *Cromwel* had omitted the Satisfaction demanded by the third Article, and qualified the fifteenth; yet looking upon *Cromwel*'s state uncertain, and that he stood in as much need of them as they of him; without giving any Answer, upon the 28th of December desired a Passport to depart. Now *Cromwel* perceived how the Plenipotentiaries had deluded him, and therefore declared, That if they departed without concluding and signing the Treaty, and mutually engaging to ratify it in a certain time, he would not be obliged to it, or any part thereof. Hereupon the Plenipotentiaries staid; and *Cromwel* in plain Terms told them, Without the Seclusion of the Prince of Orange from being Stadtholder and General, no Peace was to be expected. But if *Cromwel* thus juggled with his Council, the States of *Holland* and *West-Friesland* did not less with the States of the rest of the Provinces.

For by the 9th Article of the Union at *Utrecht*, 1579, *No Truce, Peace, or War, should be made without common Consent of all the Provinces, and not by the States General.* Yet this Treaty was broken by the *States of Holland*, when they made a Truce with the King of *Spain* 1609, for twelve Years, without the Consent of the other Provinces, or *States General*: So did they at *Munster*, 1648, make a separate Peace with *Spain*, notwithstanding several Treaties with *France* to the contrary; which *Stubbe*, pag. 72, 73, 74. cites out of *Leo ab Aitzma*; the rest of the Provinces detesting and declaiming against it, as perfidious, treacherous, &c.

Cromwel knew this, and the Potency of *Holland* above the rest of all the other Provinces, as also their Aversion to the House of *Orange*, and Instructions of the Provinces not to exclude the Prince of *Orange*: Hereupon *Cromwel* entred into a secret Conference with *Beverning* (the same, I think, that in 1679, at *Nimeguen*, made the separate Peace with the *French*, without the Confederates, or the Consent of the rest of the *States*) That if the Province of *Holland* would sign a secret Article for to exclude the House of *Orange*, he would be content to proceed in the Treaty of Peace. But *Beverning* pretending he had no Instruction therein from the *States*, they had a Passport to return to *Holland*, January 6.

These stay'd longer before their Return than *Cromwel* expected, which put him in a great Wrath and Confusion, and seem'd to make great Preparations for carrying on the War. The *Dutch*, to amuse him, send over the same Men in a splendid and formal Embassy, with Consent to all the other Articles, except the Seclusion of the Prince of *Orange*; which *Cromwel* signed upon the 5th of April 1654, and Peace was thereupon proclaimed at *London*: but *Cromwel* would not exchange the Ratifications, unless the *States of Holland* and *West-Friezland* would make a Decree for excluding the House of *Orange* from being Stadtholders and General; which the said *States* did upon the 4th of May 1654, in these Words, That the Noble and Potent States of *Holland* and *West-Friezland*, would never elect his present Highness, or any of his Lineage, to be Stadtholder, or Admiral of their Province; neither should their Province ever give their Suffrage or Consent, that he, or any of his Family, should be Captain-General of the Forces of the United Provinces; the rest of the Provinces protesting and declaiming against this, as much as they did against the *States of Holland* and *West-Friezland* for making a separate Peace at *Munster*, without the Consent of the *French* King.

By this it's evident, That Sir *William Temple*, in his Observations upon the United Provinces, pag. 115. is mistaken; where he says, That the Union of *Utrecht* was never broken before the Year 1658, when the *States General* (and not of *Holland* alone) concluded the Peace of *Aix la Chapelle*.

Here

Here you see how selfish *Cromwel* was, and how little he regarded the Honour and Interest of *England* in this Peace; for he not only remitted the 300000 *l.* which the *Dutch* proffered the *Rump* for the Damages the *English* sustained by the War (See *Stubbe*, p. 112. in the Margin) but left out the Coalition; the Revenue to be Annually paid to the *English* for Liberty to fish in the *British* Seas; the Sovereignty of the Seas, except the Flag; Security from the *Dutch* not to molest the *English* in time to come; and to have their Ships searcht in passing through the *British* Seas; and not to set out any greater than such a Number of Ships of War, without giving an Account to the *English State* of the Reason; and also, that the *English* should have a Free Trade up the *Scheld*: and because both the *Rump*, Council and *Oliver* himself had demanded Justice against those that were alive, who had any Hand in the Massacre of the *English* in *Amboyna*; *Cromwel* suffered himself to be deluded by the *Dutch* in referring it to 8 Commissioners; and if they agreed not in 6 Months time, Umpires were to be chosen. See *Whitlock's Memoirs*, f. 568. b. But no Agreement was made, and *Cromwel* never further minded it. And this is observable, that notwithstanding both the *Dutch* and *Cromwel's* Protestations of calling God the Searcher of all Hearts to witness, how much by this Peace they designed the Glory of God, and the Promotion of the true Reformed Religion abroad; yet there is not one Article concerning the same, nor any *Protestant* Prince named in it, except the King of *Denmark*, who was to pay the *English* Merchants their Damages for the Embargo he had laid upon their Ships in the *Sound*. And *Dr. Gumble* says, p. 74. *That Monk did often highly resent this Peace as a base Treachery in Cromwel.*

Mazarine endeavoured to have had the *French* included in this Treaty, but the *States of Holland* regarded him not more than in that of *Munster*. The *Dutch* by this Peace had an Opportunity to build more and greater Men of War, than they could if the War had continued, of which you'll hear more about 10 Years hence.

Mazarine finding himself thus neglected by the *Dutch* in their Treaty of Peace with the *English*, sends *Monsieur Burdeaux* Extraordinary Ambassadour to *Cromwel* to obtain a Peace with him; and was not so squeamy in excluding the King and Royal Family out of *France*, as the *Dutch* were in excluding the Prince of *Orange*; but as preparatory to it, proffered to exclude the King out of *Paris* (I think *France*) as you may see in *Whitlock's Memoirs*, f. 565. But this did not procure a Peace till the Year 1655.

After *Monk's* Triumphant Victories over the *Dutch*, *Cromwel* having no further Use of him at Sea, sent him back to govern *Scotland*; but when he shall come there, *Cromwel* shall never get him out again; nor shall he come out of *Scotland*, but utterly to exclude

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Cromwel's Posterity from ever mounting to his ill gotten Greatness; and to unravel all that the *Presbyterian* Parliament, the *Rump* and *Cromwel*, had been near twenty Years in Weaving. But in regard General *Monk* hath born so great a Figure in this Treatise, and shall much more hereafter, it will not be amiss to see how the Case stood with him, before he entred into the Parliament Service.

He was the second of Three Sons to Sir *Thomas Monk* of *Portridge* in *Devonshire*, and born in the Year 1608. And being a younger Brother, and having a Mind above his Fortunes, he endeavoured to advance them by a Military Profession. His Birth sorted with his Desires, his Family being of great Antiquity, and he no stranger to the Royal Blood, one of his Maternal Ancestors being a Daughter (but not Legitimate) of *Edward* the Fourth.

At the Age of Seventeen Years he served King *Charles* the First in the unfortunate Expedition to *Cadix*: And at the Age of Eighteen, he served in the more unfortunate Expedition to the Isle of *Rhee*; yet was not his Courage daunted by these Misfortunes, but he followed the Earl of *Oxford* (General of the *English*) in the Low-Country Wars against the *Spaniard*, until the Civil Wars began to break out in *England*, between the King and Parliament: And the *Irish* Rebellion first breaking out, he took a Commission from the Earl of *Leicester* (agreed to be Lieutenant in *Ireland* by the King and Parliament) against the *Irish*: But the King and Parliament after falling out, the King sent the Earl of *Ormond*, Lieutenant of *Ireland*, and *Monk* took a Commission from him to serve against the *Irish*.

When the *Scots* came with an Army into *England* to assist the Parliament, the King made a Cessation of Arms with the *Irish*, and recalled the *English* sent to subdue the *Irish*, to assist him against the *English* and *Scots*; these, in which *Monk's* Regiment was included, were utterly defeated by Sir *Thomas Fairfax*, joined with Sir *William Brereton*, *Gell*, *Middleton* and *Mitton*, and *Monk* taken Prisoner, and sent to the *Tower*; where he continued near 4 Years.

In this time he fell into great Poverty and Want, but was relieved by a near Kinsman of mine, Sir *R. C.* then a Prisoner in the *Tower* with him, and whilst he was a Prisoner, did conform to the Prayers and Liturgy of the Church.

When the Parliament made the self-denying Ordinance, thereby to depose the Earls of *Essex* and *Manchester* from their Commands, as being more inclined to a Pacification with the King, than the Parliament were willing they should be; *Cromwel* (knowing the Worth of *Monk*) sent to him to take a Command in the Army, to be new modelled under *Fairfax* and him, which *Monk* accepted.

The Bishop of Ely (who was Prisoner in the Tower with Monk) told me, that after he had accepted a Commission; and was released from his Imprisonment, Monk, before he went out of the Tower, went to visit the Bishop, and beg his Blessing, which after the Bishop had given him, he said, *Now Colonel you have changed Sides, we expect neither to see, nor hear from you more*; the Colonel then protested, *He would never wear a Sword against the King*. It seems he did not think Fighting against the Irish and Scots, was wearing a Sword against the King; for he did not only wear, but draw his Sword against them: And tho he changed Sides, he did not his good Nature to Sir R. C. For on the first opportunity after he came out of the Tower, he took a Journey into the Country to visit Sir R. C. (who was released out of the Tower a little before) and to thank him for his Favours when they were Prisoners.

But lest Cromwel's assuming the Supreme Authority of the Nation should too much favour of Selfishness, he having no Authority but from himself, therefore he summons a Company of Men, so many to be chosen by each County, but not of like Number; and others to be chosen by such Towns as he named, to meet the 3d of September 1654 at Westminster. He upon their Meeting, and before he permitted them to enter the House, told them, *That some Years ago, none would have thought of such a Door of Hope: That he knew there were yet many Humours and Interests, and that Humours were above Interests: That the Condition of the English was like Israel in the Wilderneß: That this was an Healing-Day: There was neither Nobleman, Gentleman nor Yeoman before, known by any Distinctions: We had not any that bore Rule or Authority, but a great Contempt of Magistracy and Christ's Ordinance: That the Fifth Monarchy was highly cry'd up by Persons who would assume the Government; but that desired thing wanted greater Manifestation than appeared, for such Men to change the Authority by. He desired this Assembly to remedy all these Disorders; shewed, That the Wars with Portugal and France (for yet he had not made Peace with it) do, and did eat up all the Assessments: That Swarms of Jesuits are crept in to make Divisions, which were grown so wide, that nothing but Government could remedy them: And let Men speak what they would, he could speak it with Comfort before a greater than any of them. Then he shewed what he had done during his Government: First, his Endeavours to reform the Laws; next, his filling the Benches with the ablest Lawyers; then his Regulation of the Chancery, and his Darling Ordinance for the Approbation of Ministers (which hindred all that list from invading the Ministry) by Men of both Perswasions, Presbyterians and Independents, &c. And lastly, his being instrumental in calling a Free Parliament; which he valued, and would keep it so above his Life.*

But this Cant did little edify the greater part of the Members, who again chuse *Lenthal* Speaker, and fall upon a strict Enquiry into *Cromwel's* Instrument of Government, which the Officer-Members oppose, alledging, That the Instrument was the Foundation of the Government by which they met; and therefore could not be brought into Debate: And *Lambert* said, *If the Parliament would not confirm them, they would call another, a Third and Fourth, till 'twas done.*

Yet this frightened not the Republican Party, who boldly said, *That the Government was usurped by Fraud and Force, not procured by Right, nor confirmed by the free Votes of the People: that it laid Snarves for the Liberty of the Common-wealth, and made way for a most grievous Tyranny.* Nay, one said, *Since we were so near approaching to Monarchy, it were better to call one of the Royal Family to the Government, than that Cromwel should usurp both Scepter and Crown.*

These Debates nettled *Cromwel* to the quick, so that in an unusual Heat he tells them these Debates would turn all things into Confusion, and make them to return to their former Chaos: And that they were to build upon the Foundation of the Instrument, not to overturn it; with a great deal more of such Stuff.

But if Admonition would not prevail, he'll try what may be done by Force; so next Day he set a Guard upon the House, who would let no Member enter, but he who subscribed a Recognition, *To be faithful to the Protector, and not to endeavour to change the Government of a single Person:* When many of the Republican Party refusing, the *Cromwellian* Faction within Doors, became near equal to the Republican.

The secluded *Republicans*, rather exasperated than subdued by *Cromwel's* Repulse, join with a Republican Party of the Army, who consult how they might apprehend *Cromwel*, and bring him to a Trial before the Parliament for his Treasons against the Common-wealth: But *Cromwel* being quick-scented, smelt out this Conspiracy, and so prevented it; and upon the 22d of *January* 1654, dissolved the Parliament, tho they sat not 5 Months, which he swore by his Instrument of Government.

As the *Republicans* were impatient under *Cromwel's* Government, so were the *Royalists*: For in *March*, after *Cromwel* had dissolved his Parliament, the *Cavaliers* designed to rise, but could not get together; yet *Sir Joseph Wagstaff* with a Body of *Wiltshire* Men, when the Assizes were holden at *Salisbury*, seize upon the Judges in the Circuit, and proclaim the King, but were soon dispersed by *Captain Crook*, who granted *Colonel Penruddock*, and those with him, Articles of War upon his surrendering himself, to be indemnified in their Lives and Estates. But *Cromwel* sent other Judges, who condemned *Colonel Penruddock* and *Captain Groves* for High Treason, for which they lost their Heads; and several

several others were hanged and quartered.

Cromwel being thus at Odds with his Parliament, and his standing Army in such intestine Feuds, and Supernumeraries of the cashier'd Armies commanded by *Essex*, *Manchester*, *Waller*, *Massey*, &c. discontented, now contrives how to get freed from the Dangers he apprehended from them; and therefore, with as much Selfishness, and Dishonour and Loss to the Nation, as by his Peace with the *Dutch*, he, without Cause shewn, makes War upon *Spain*.

By *Cromwel's* War with *Spain*, the *Dutch*, who since the Peace of *Munster* 1648, became Competitors with the *English* in the *Spanish* Trade, are now sole Proprietors of it, as much to their Enriching as our Impoverishing; whereby they not only redeemed the Losses they sustained in the War with us, but were enabled to build more and much greater Men of War than they had before. And of this you'll hear more about 10 Years hence.

But these were not all the Losses which the *English* sustained by this War, for *Cromwel* did not begin it as just Princes do, by complaining of Injuries done, and demanding Redress, and in case of denial to proclaim War; but sneakingly, and like a Pirate, fits up a Fleet under *William Penn*, (own Father to the now *William Penn*) and puts on board a Land-Army, commanded by Colonel *Venables*: Thus shipp'd, away they sail for *Hispaniola*; the Design was to take *Sancto Domingo*, and after *Carthagena*, where they were sure was Gold enough; but care was taken the Souldiers and Sea-men should have little enough.

When the *English* arrived at *Hispaniola*, some Souldiers were landed in sight of *Sancto Domingo*, whilst they were to fetch a Compass, and land to attack the Town on the other side; but these mistaking their Place of landing, landed ten Miles beyond: The Sun was scorching, the Country uncouth, sandy and woody; and the *English* ignorant of the Way, were so overcome with Heat and Thirst, that many of them died outright; others so spent, as they could not march, so were killed by the *Spaniards* without fighting: Yet some few feebly arrived to join their Companions, when, to the breaking of all their Hearts, they opened their Commission, and found, that upon Pain of Death, All the Gold, Silver and Rich Goods, should be brought into a Common Treasury.

This was cold Comfort to these wretched Men in this scorching Climate, where they could no longer stay; so away they sail to *Jamaica*, where a Plague overtook them, so that in less than six Months time, not two Hundred of this whole Army outlived it. Thus you see how Divine Vengeance overtook this part of the Army Abroad, after their Perfidiousness, Treachery and Hypocrisy at home: And this Calamity was brought upon them by him whom they had set up to enable him to do it. And *Cromwel*, who expected Mountains of Gold, (like Sir *Walter Raleigh*, in King *James*

the First's Reign, by his Expedition to *Guiana*) contracted such a Debt by this Expedition, that by all his Tricks he could never after overcome: And as Sir *Walter* lost his Head by his Expedition, so did *Cromwel* his Reputation.

But if *Cromwel* lost by this War, the Nation and *Spanish* Merchants lost much more; for the *Spaniards* seize and confiscate all the *English* Effects in *Spain*; which were so much more, by how much the Merchants were surprized in it, they having no Notice of it, by which they might have withdrawn their Effects in the *Spanish* Power: and the Privateers from *Dunkirk*, *Ostend*, and the Ports of *Biscay* and *Galicia*, did the *English* Merchants in all their Trades more Damage than they sustained in the *Dutch* War; with this Difference, that the *English* took above seventeen Hundred Prizes from the *Dutch*, which eased the *English* Charge in the War against the *Dutch*; whereas in this the *English* took none, or but very few from the *Spaniard*.

Nor had the *English* Nation any Benefit of the Two Ships taken by *Blake* in *September* 1656 off the Coast of *Spain*; where one was sunk, another burnt, and two broke to pieces on the Shoar; so that of eight Plate Ships, but two got into *Cadix*: On the contrary both *England* and *Europe* suffered by *Blake's* burning the *Spanish* Plate-Fleet in *Sancta Cruz*, in *April* 1657; whereby, tho it were the immediate Loss of the *Spaniard*, yet in Consequence this was a Loss to *Europe* in all their Trades to *Spain*, which became so much lessened by this Loss, as the *Spaniard* had thereby less means to hold Trade and Commerce with the Nations who traded to *Spain*, or any of its Dominions.

Thus we have seen *Cromwel* make Peace with the *Dutch*, to the endangering the Safety of the Nation, and War with *Spain*, to the enriching the *Dutch*, and to the impoverishing the *English*; next you'll see him make Peace with *France*, not only to the impoverishing the *English*, but to the endangering the Safety, not of *England* only, but of all *Christendom*.

But that we may take a better View of what followed, it's fit to look back, and see how things stood before.

About the latter end of 1642, Cardinal *Richlieu* died; and in *May* following, *Lewis* the Thirteenth died, his Son, the now *French* King, being in the fifth Year of his Age: But Cardinal *Mazarine* succeeding *Richlieu* in being Prime Minister of State, not yet being warm in his Office, the Prince of *Conde*, and generally the Nobility of *France* rose in Arms against him; and to them the Parliament of *Paris* joined, and proscribed *Mazarine*, and set a Reward upon any who should bring his Head.

However the Queen Mother continued firm to *Mazarine*; and it was the Felicity of *Mazarine* to force the Pass (I think) at *Charenton*, which *Conde* had ordered Marshal *Turenne* to keep. *Conde* chased

chased at this Loss, which was the loss of *Paris*, receives *Turen* with Indignation and Reproach: *Mazarine* takes the Advantage of this, and wins *Turen* to his side, which made *Conde* betake himself to *Bordeaux*, from whence he sent to the *Rump* for Assistance; but the *Rump* being resolv'd upon a War with the *Dutch*, gave the Prince no Assistance.

After the Reduction of *Paris*, all *France* in a short time was reduced to the King's Obedience; yet the Prince of *Conde's* haughty Spirit could not bend to submit to the Cardinal, but served the King of *Spain* in *Flanders*, when in the Year (I think) 1653, he destroy'd and took half the *French* Army which besieged *Valenciennes*.

In these Commotions, tho the *French* in the Year 1646, took *Dunkirk* and *Graveling* from the *Spaniard*, yet in the Year 1652, the *Spaniard* retook them both from the *French*, and the *Spaniard* was enabled to do this by the *English*; for tho the *Rump* could not or would not assist the Prince of *Conde* in *Bordeaux*, yet having a Squadron of Men of War in the *Downs*, when a great *French* Fleet under a Convoy of Men of War were going to relieve *Dunkirk* (besieged by the *Spaniards*) these were set upon by the *English*, and the whole *French* Fleet destroy'd or scatter'd, and so *Dunkirk* soon after surrendered, as did *Mardike* and *Graveling*.

Nor were the *Spaniards* less successful in *Catalonia*, for having expell'd the *French* out of it, in the Year 1652, they reduced *Barcelona* (the Metropolis of that Province, and one of the best Ports in all *Spain*;) but these Successes will not long continue; and if the *Spaniards* were beholden to the *Rump* for reducing *Dunkirk* and *Graveling*, they may ascribe the loss of them, and of many more Towns and Dominions, to *Cromwel*.

In our Trades to *Spain*, we were as much Gainers by them, as Losers by the *French*, so as we could better sustain the Losses wherein we debauched our selves by drinking *Spanish* Wines: whereas in this War with *Spain*, and Peace with *France*, we doubly debauched our selves in drinking *French* Wines, which became so much more, as *Spanish* could not be had.

King James and *Charles* the First, except in the business of *Rochel*, were only Lookers on, whilst this *French* King's Father rooted out the Power of the Reformed in *France*, expell'd the Duke of *Lorain* out of his Country, supported *Portugal* and *Catalonia* in their Rebellion against *Spain*, tam'd the Duke of *Savoy*, and took *Pignerol*, (the Key of his Country) and other Places from him, as also *Brisac* from the Empire, and *Landresby* and other Places from the *Spaniard*. Whereas *Cromwel* actually joined with the *French* in an offensive War against the *Spaniard*, whereby he first made the *French* so formidable, that it's a Question, whether it be in the Power of *Christendom* to restrain his boundless Ambi-

tion by Land; for besides the routing of the *Spanish* Army near *Dunkirk* by the *English* and *French*, or rather by the *English* without the *French*, they took from the *Spaniard*, *Winizburgh*, *Furnes*, *Bourbock*, *Dunkirk*, *Mardike*, *Graveling*, *Montmeily*, *Ipre*, and other Places.

But the Land could put no Bounds to the *French* Ambition, and therefore *Mazarine* made use of this Conjuncture to enlarge the *French* Dominion by Sea, without which all the *French* Grandure by Land could not protect *France* from the Insults and Invasions which the *English* and *Dutch* might make upon it by Sea: And herein *Mazarine* wisely considered, that the Dominion of the Sea could not be attained but by Navigation, nor could Navigation be had but by Trade to support it.

Of all Trades the Fishing-Trade most increases Navigation both by Mariners and Ships. For in other Trades by Navigation, as to *Turkey*, *Muscovy*, the *East* and *West-Indies*, it may be we employ a thousand Men in making Cloths, &c. to ten Mariners in the Foreign Vent of them; whereas in the Fishing Trade every Man becomes a Mariner: Add hereunto, in the Fishing Trade the Mariners are always at hand for the Publick Service of their Country, and lusty, active and strong; whereas in the long Sea Voyages, especially to the *East-Indies*, the Mariners are long absent, and in the Diversities of Climates, and by salt Meats and fowr Drinks become subject to infinite Distempers: so that it may be a Question, Whether in these Voyages, we do not lose more Men than make Mariners? And of those which survive, one Fisherman shall by his Health and Strength bear three of them.

Besides, in our Foreign Trades by Navigation, we employ only Men in them, whereas in the Fishing Trade, we employ all sorts of People, Men, Women and Children, in curing and drying Fish, and in making Cordage, Nets and Sails for the Fishing-Trade. The Fishing-Trade upon the Coast of *England* and *Scotland*, the *French* could not hope to drive the *Dutch* out of; but the *New-found-land* Fishery was too remote from the *Dutch*, and the *French* should only have the *English* to contest with in it.

Here let's see how the Case stood between the *English* and *French* in this Contest. The *New-found-land* Fishery was carried on by the Inhabitants of the Port-Towns of *Cornwal*, *Devon* and *Dorsetshire*: these Ports were all Corporations, which excluded all other Men from carrying on this Trade; and these Corporation-Men being few and Beggars, could not enlarge their Fishing-Trade beyond their Men and Stock.

Whereas *Havre de Grace*, *St. Malo's*, *Morlaix*, *Brest*, *Blavet*, *Rochford*, *Bayon*, and other Western Ports of *France*, are not only manifoldly bigger and better peopled than the Ports of the Western and Southern Parts of *England*, but the *French* King contributed three

three hundred thousand Pistols for carrying on the *New-found-land* Fishery; and for further Encouragement, gave half Pay to lusty young Men above their Wages for two or three Voyages, for the increase of Mariners; and in all the Ports of *France* erected Schools for instructing Youth in Mathematical Learning gratis.

The Fish caught in the *New-found-land* Fishery cost nothing but the catching and curing, so that they who can catch and cure them cheapest, are sure of a Foreign Market in their vending: And this creates another Navigation and Employment of Mariners. And here let's see if the Act of Navigation be not as much a Cause of enabling the *French* in carrying on this Fishery, as it is eternally of fixing the Fishing-Trade upon the Coast of *England* and *Scotland*, and the *Green-land* Trade, upon the *Dutch* and *Hamburgers*.

The *French* have upon the Coast of *France* (I dare say) near twenty-fold more Timber to build Vessels for the *New-found-land* Fishery, than can be had at like distance from the Ports of *Cornwal*, *Devon* and *Dorset*; and, I believe, as cheap as the *English* pay for the Carriage of theirs to the Ports: and when it comes there, the *French* Timber is wrought much easier than the *English*; and Vessels made of *French* Timber draw less Water, and are sailed with fewer Hands: Besides, the *French* encourage all Foreigners to build their Vessels more conveniently for this Trade, than the *English* understand.

And as the *French* have much more manifoldly the Advantage above the *English* in building Ships, so have they more in Plenty of Hemp and Flax for fitting up Ships for this Trade (wherein, I suppose, they do not restrain the *French* from curing Flax and Hemp in standing Waters) and in Proportion as much cheaper than the *English* can fetch Foreign Hemp and Flax in *English*-built Ships, and sailed by three fourths *English*: So that to the Poverty of these beggarly Corporations, this wise Law of Navigation obliges the *English* to encounter the *French* in the *New-found-land* Fishery, in Ships doubly as dear built, and sailed by near double the Charge, and so as the *English* are like to come to a sorry Market abroad, if they can find none at home, for their Fish caught in this Trade.

Add hereunto, that the *English*, who cannot cure a White Herring, Pilchard, or Cod-fish, are too wise to be intrusted in this Trade, but keep the Fish on Board till it becomes stale, and so cannot be so well cured as when new caught; whereas the *French* cure them on board; so, as they take them cheaper, so they cure them better: The Success hereof you will hear more hereafter. So that from the Act of Navigation made by the *Rump*, and this War by *Cromwel*, we may date the Fall or Decay of the beneficial

Trades of *England*, and also of the Value of the Lands of *England*, being a necessary Consequence.

Having seen *Cromwel* lay a Foundation for the Ruin not of *England* only, but of the Western Dominions of *Europe* abroad, by exalting the *French* Grandure by Sea and Land; we'll see how he behav'd himself at home, and how he established his ill acquired Dominion in himself and Posterity.

He set up fourteen Major-Generals over *England* and *Wales*, with an absolute Power to enquire after all those who had bore Arms, or been sequestred for being Malignants, and to make them pay the tenth part of their Estates, and to be imprisoned till they gave Security for their Good Behaviour to *Cromwel*. These Major-Generals acted their Parts to the Life; and being an obscure company of mean Fellows (except *Fleetwood*) lorded it over the Nobility as well as Gentry and Clergy, with an unheard-of Insolence. Here I take liberty to tell, it may be, a not unpleasing Story.

My Father was a Member of the Long Parliament, and one of the first Rate which was expell'd the House, sequestred and imprisoned for Malignancy, first at *Tarmouth*, after at *London*: And whilst he was a Prisoner there, the Committee at *Haberdashers-Hall* sent a Messenger to him, to pay 300 *l.* for the five and twentieth part of his Estate, for being resident in *London*.

My Father was not forward to return an Answer, till the Messenger told him he must have an Answer: Then my Father told him, that such Residence as he had in *London*, he wished to those who sent him. Afterward *Sir Anthony Weldon*. (Chair-man to the Committee in *Kent*) sent to him, that if he would send the Committee his Court-Rolls, they would keep his Courts for him; to which my Father answered, the Parliament had kept him Prisoner near three Years to prove him a Knave, but *Sir Anthony* should not beg him for a Fool.

My Father would never own the Parliament's Power, by petitioning them, or paying any Taxes assessed by them; yet by the Solicitation of my Mother, he was discharged of his Sequestration and Imprisonment.

Of all the Provinces of these Major-Generals, *Fleetwood's* was the greatest, being the Associated Counties, which were *Norfolk*, *Suffolk*, *Essex*, *Cambridgeshire*, *Huntingdonshire*, and (I think) *Hertfordshire*.

I do not remember *Fleetwood* ever acted of himself, but one *Haynes* was his Deputy: But because these Major-Generals were Men of Action, and so could not always attend this Business, they appointed Committees of their own Gang, mean and profligate Fellows, who should not vary one Tittle from their Instructions: One Day an Attorney was Chair-man to that in *Suffolk*.

In the Year 1656, one Major Rolston (who served under Sir Richard Willis, when he was Governor of Newark for the King, and who betray'd the Cavaliers Designs to Cromwel) came to me and told me, the King was making great Preparations to land in England, and that the Cavaliers were intending to rise all over England to assist him: This he assured me he had from Sir Richard Willis, and told me I could not do the King greater Service, than to provide some Horse-Arms, Back, Breast, Pot and Pistols.

Hereupon I went to London, and bought a Dozen of either, and had them put up in two Hampers, and see them put on Ship-board, and then returned into the Country, and took care upon the first Arrival of the Ship to have notice of it: And when the Ship arrived, I ordered the Business so, that in the Night I got them to my Father's House; this was upon a Friday; and that Night my youngest Brother and I so disposed of them, that I believe none but we two knew where.

Upon Sunday, about Midnight, my Father's House was broke into by a Party of Horse-Men sent from Yarmouth, and the Cellars, and all suspected places of the House were searched for Arms, but none found, but the Swords of me and my Brother, which hung up in the Hall, which they carried away as well as my Father and Brother: My Father was old, very fat and unweildy, my Brother young, (about nineteen Years old) raw, and of little Experience in Martial or any other Affairs; but whither they were carried we could not tell.

The News of this Exploit was soon blazed all the Country over, and this brought me a Ticket to meet Rolston, and a Cousin German of mine at a certain Place, for we had our Meeting-places.

We met with heavy Countenances, not one of us but expected to be hanged, tho I had more reason to fear it than either of them: The danger was, my Brother would discover all, they both wished I had been taken, so my Brother had not: I thanked them for their good Wishes, but this availed nothing; what was to be done now my Brother was a Prisoner, was to be advised of, they both could not tell what to do, but hanging was the best we could expect.

At last I told them that these Fellows were *Sancho Pancho's* Stamp, *Proud to the Humble, and Humble to the Proud*, and therefore nothing was to be done with them but by Hectoring: they both agreed, but neither of them would undertake it, but left it to me.

The next day News came from my Father from Yarmouth, for Drink and Diet; for he said this Devil could be cast out no other way than by Fasting; and therefore would neither pay for any Meat or Drink which was sold there, nor give the Souldiers one Penny who guarded him; And by this time I got some inkling, that my Brother had discovered our Design of rising to a
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mean Fellow, whose Mother *Hopkins* the Witch-finder had been hanged for a Witch, who had informed one of the *Brefters*, of which there were three Brothers, *Robert*, *Francis*, and *Humphry*, (all stiff *Cromwellians*) of it.

The next Day I went to *Yarmouth*, where I found my Father and Brother at Variance, for they were not at good Terms one with the other, and Soldiers guarding them. At first I expostulated with the Soldiers for taking away my Sword, which they had nothing to do with; which they denied, or shifted from one to another; which was all I cared for. Then I complained that my Brother should be hurried into Prison upon the Story of a Rogue, whose Mother was hanged for a Witch: This, my Father said, was too late now, for my Brother had confest all to the Governour; it seems they had put burning Matches between his Fingers to do it.

So I went to the Governour, and told him how unhappy my poor Brother was, to be so hardly used upon the sole Testimony of so vile a Fellow. To which he answered, *That it was past now; and by that time his Examination was before the Protector*. But, said I, if you have any thing against my Brother, it does not appear you have any thing against my Father; and his Case was not usual heretofore, an aged unweildy Man to have his House invaded at Midnight, and his Person hurried into Prison at that season.

To which the Governour answered, That what the *Protector* demanded, that my Father should give Security to the *Protector* for his Good Behaviour (which I was sure he would never do) could do my Father no hurt.

To which I replied, That no Man who is bound to his Good Behaviour is taken for a Man of Good Behaviour; and that now, as the *Protector* will have the tenth part of his Estate for having been sequestred, so he might take half or all his Estate for having been bound to his Good Behaviour. To which the Governour not answering, told me, *He would not have taken the Language my Father gave the Protector from any body else*. I told him, *My Father always led a free Life, and the Governour could not expect he should be metamorphos'd upon his Appearance before him*. So I left him, and went to my Father, and asked him what he had said which gave the Governour such Offence? He said he knew nothing, unless it were that the Governour ask'd him if he knew the *Protector*? he said, yes, and his Father too, when he kept his Brew-house at *Huntington*.

Next Day the Soldiers carried my Brother for *London*: I went part of the way with him, and, when I could get an Opportunity, instructed him what to do: and about three Days after, my Father returned to his House in Sir *Nicholas Bacon's* Coach; for after
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my Brother was gone, the Governour ordered my Father to be released; who to get out of Town, not staying to fend for his own Coach or Horses, took one of the Carts (peculiar to the Town of *Tarmouth*, which have two Wheels behind, and over them a place to carry Goods from Shipboard to the Merchants Ware-houses) and in it went to Sir *Nicholas Bacon's*. It's strange how such an odd thing should be so long remembred; for, above twenty Years after, I being at the South End of *Tarmouth*, and my Horse standing at the North (about three quarters of a Mile) and seeing one of these Carts, I asked the Owner if he would carry me to my Inn, and I would give him Six-pence; we agreed, and the Fellow told me how before he had carried my L——to Sir *Nicholas Bacon's* in it.

My Father had not been long returned, but he received a Summons from *Haynes* to appear at *Bury*, to give the *Protector* Security for his Good Behaviour, and shew Cause why he should not be decimated. My Mother was now dead, and Security I was sure my Father would not give, nor any that I knew would appear for him: So I took up his Case, and appeared for him; I excused his not coming for his Age and Unweildiness, which was allow'd: But I told the Committee, my Father was not in their Instructions, for tho he had been sequestred, yet no Charge was alledged against him; and so, upon hearing his Case, the Parliament discharged his Sequestration: But 'twas to no purpose to talk Reason to these Fellows, for they said, he was in their Instructions, and so order'd him to be decimated. I told them I would not submit to it, but protested against it, and appeal'd from them to the *Protector*.

I was content to take this Occasion to go to *London*, more to take Care of my Brother than in hopes to get off my Father's Decimation: And when I came to *London*, I knew not how to get a Petition to be delivered to *Cromwel*. Major-General *Skippon's* Father was Servant to my Grand-father, and eldest Uncle, to whom I went; but when I named my Father, and his Case, he went out of the Room. I then applied my self to Mr. *Nathaniel Bacon*, who was one of *Cromwel's* Masters of Requests; who promised to deliver my Father's Case to *Cromwel*, and that I should have an Answer.

So I appear'd before *Cromwel*, (which was the only time I ever saw him) in *Henry the Eighth's* Chamber in *White-hall*; but Mr. *Bacon* stood at the further Door, and *Cromwel* and I at the Door next the Closet: *Cromwel* seem'd to read the Petition, tho to my Apprehension he read not one Line of it, but sometimes look'd upon me, then upon the Paper; and after some Pause told me, Mr. *Bacon* should give me a satisfactory Answer: Then *Cromwel* told me, He knew my Father very well, and that I had a very fair Sister;

Sister; and I believe would have gone on at this rate, when I humbly thank'd his Highness for his Favour to my Father, and so went off.

I had heard enough of *Cromwel*, not to believe any thing he said; and therefore I told Mr. Bacon, that unless I saw the Order of the *Protector* to the Major-General upon my Father's Appeal, I would not take it out. Mr. Bacon told me, it was not usual, yet I should have it; which was as much as I could desire. Yet upon some private Queries between *Cromwel* and his Parasites, it signified nothing as to my Father's Decimation; but whether the contesting his not being in the Major-General's Instruction, or the Humour of giving Security being abated, my Father was not further prosecuted for giving Security, which was all I cared for; and I believe my Father was the only Man who was sequestred in *England*, who escaped it without Imprisonment.

My Brother proved stanch (as we say) and would not make any further Discovery, tho' *Cromwel* proffer'd to prefer him in the Army; and the Major-General's Power declining, and *Cromwel*'s third Parliament coming on, at last, by my own proper Charges, I got him released.

About this time *Cromwel* sent Colonel *Overton* (it may be suspecting *Monk*) with a Commission to command in the North of *Scotland*, as Major-General. *Overton* being a *Fifth-Monarchy-Man*, highly stomach'd *Cromwel*'s Protectorship, anew sets up Agitators in their several Regiments, and had several Meetings with them at *Aberdeen*: They drew up a Declaration against *Cromwel*'s Usurpation; of this *Monk* had Knowledge, but took little Care to disturb them: but when they agreed upon their Declaration against *Cromwel*, they consult how to assassinate or secure *Monk*; who thereupon changes and encreases his Guards, seizes upon the Conspirators, tries several of them, cashier's others, and sends *Overton* Prisoner to *Cromwel*.

In these Times a Rapfody of Socinianism, Pelagianism, and Arianism, as sprung from the Seeds of Arminianism, was vented all over the Nation, especially in the Army: the Ringleaders of these were *Bidle*, *Cops*, *Fry*, *Erbury*, *Saltmarsh*, &c. But more blasphemous than these was one *James Naylor*, (I saw him when he stood in the Pillory before *Westminster-hall*) who personated our Saviour (and was like his Picture) in his Words and Gestures; and so mad was he, and many of his Crew, that getting upon a Horse-Colt (an Ass would have becom'd him better) he came riding to *Bristol*, his Sest strewing his way with Leaves and Boughs of Trees, crying, *Hosanna*, *Blessed is he who cometh in the Name of the Lord*. Nor did he stay here, but imitated our Saviour in affecting his Divinity; as, that he could Raise the Dead, Heal the Sick, and Fast 40 Days.

In these Distractions without (to prevent which *Cromwel* took little Care) *Cromwel* had little Peace within: He was obey'd by none for Love; had no Title to his Greatness but by *Barebone's Parliament*, of his own making, his own Will, and the Flattery of some of the Officers of his Army: yet the Body of the Army, and a greater part of the Officers, look'd upon him as a Tyrant and Usurper; and with these the Generality of the *Commonwealth Party* agreed: The *Presbyterian Party* hated him, and he knew the *Royalists* would never obey him, if ever they could find an Opportunity to get rid of him.

The Crown-Lands, and the established Revenues, he reserved by his Instrument of Government, would not near maintain the Charges of his Intelligence and Army, which in a manner lived upon Free Quarter; and the *Decimation* of the *Royalists* bore no Proportion to support them. His Expedition to *Hispaniola*, from which he expected Mountains of Gold, proved not only dishonourable, but thereby he contracted so great a Debt, as he could never live to overgrow.

In these Disquietudes of Mind, his Looks were intent upon new and unusual Spectacles: He took particular notice of the Carriage, Manners, Habit, and Language of all Strangers, especially if they seemed joyful: He never stirr'd abroad without strong Guards, wearing Armour under his Clothes, and offensive Arms too; never came back the common Road, or the same Way he went, and always passing with great speed; had many Locks and Keys for the Doors of his Houses; seldom slept above three Nights in one Chamber, nor in any which had not two or three Back-doors, and Guards at all of them.

To these, Dr. *Bates*, in the second Part of his *Elenchus*, adds this, That *Cromwel* being much troubled with the Stone, used sometimes to swill down several sorts of Liquors, and then stir his Body by some violent kind of Motion, as, riding hard on Horseback, jolting in a Coach, &c. that by such Agitation he might disburden his Bladder. Wherefore one Day he took with him his Secretary *Thurlow*, that they two might privately use this Exercise in a Coach in *Hide-Park*.

When they came thither, *Cromwel* got into the Coach-box, drawn by six brave Horses, lately presented to him by Count *Oldenburg*; and so soon as *Cromwel* began to snap his Whip, the Horses ran away, and the Postilion was thrown off the Fore-horse; the Horses fretting and growing unruly, tost *Cromwel* from his Seat upon the Pole, and falling from thence upon the Ground, was intangled in his Coat, and dragged up and down till he received many Bruises, a Pocket-Pistol in the mean time going off, and his Coat rent: but a Guard of Horse, which waited at the Gate, seeing the Disaster, hastening toward his Assistance, disintangled him out of the Danger.

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However *Cromwel*, to establish his ill-acquired Greatness in his Family, makes his Son *Henry* Lieutenant of *Ireland*, and fain would have made his Son *Richard* Governour of *Scotland*; but *Monk* would not budg there, which it may be was as great an Affliction to *Cromwel*, as all those he laboured under before.

Now was *Cromwel* driven to a Forc'd-put; if a Parliament could not help him, he had lost his Game: So he in September 1656 sets up a new Bawble, call'd a Parliament. *Cromwel* set his Wits upon Tenterhooks to have those chosen for *England* to be for his Turn; he cared not so much for those sent from *Scotland* and *Ireland*, being sure of them.

To this purpose, his Major-Generals used all their Endeavours equally to hinder the Elections of *Royalists* and *Republicans*, for neither would suite with *Cromwel's* Designs: However, *Cromwel* would not suffer any to enter the House before he subscribed to the Authority of the *Protector*.

These Men chose Sir *Thomas Widdrington* Speaker, who June 1657 begirt *Cromwel* in *Protectorian* Robes, for King he would not be; and told him, That the Robe of Purple is the Emblem of Magistracy, which imports Righteousness and Justice; the Robe of Mixt Colour, Justice and Mercy; and a great deal more of such Stuff, which *Cromwel* regarded no more than he did *Barebone's* Parliament and his Instrument of Government.

To ease *Cromwel* of the Trouble, this Parliament put down the Major-Generals, who were become troublesome to *Cromwel* himself as well as the Nation in general; and made it Treason to conspire *Cromwel's* Death; and that the Royal Family should be renounced. These gave *Cromwel* the Customs, and a Triennial Tax upon all Houses built upon New Foundations in *London*, and within ten Miles round, that every one of them should pay *Cromwel* a Year's Rent: And to endear him the more, this Parliament gave *Cromwel* Leave to name his succeeding *Protector*; which he kindly accepted.

By this you may see the Nature of the Beast; for when *Cromwel's* former Parliament disputed the Authority of his Instrument of Government, he told them, It was the Foundation of Government upon which they must build, and not destroy; and therefore it was unalterable by Act of Parliament: and by the Instrument his Council was to chuse a Successor. But now 'tis for his Turn, the Parliament may alter his Instrument, and give him Power to name his Successor.

This Alteration of naming a Successor, had another Effect too; for *Lambert*, who expected to succeed *Cromwel*, and therefore told *Cromwel's* former Parliament, That unless they would confirm it, they (the Officers of the Army) would call another, and a third and fourth, till the Instrument of Government was confirmed.

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Now his Hopes of Succession were balk'd, he tack'd about, and seem'd to join with the *Republican Party*. Hereupon *Cromwel* took away *Lambert's Commission*, and made his Son-in-law *Fleetwood* Lieutenant-General in his place. So that tho *Cromwel* got a Power after his Death, he distracted his Power whilst he was alive.

And as *Pedlars*, which have not Gold, yet will shew something which may glister like it; so *Cromwel*, that his Parliament may seem like a Parliament, will have a House of Lords too: but these are not Lords with Titles, but *Lords of the Lord knows what*. If you'll take the Measures of the rest, I'll give you a List of some of them: There was *Pride the Brewer*, *Huson the Shoemaker*, *Barkstead the Thimble-seller*, *Cooper an Haberdasher of small Wares*, *Whaley a Broken Clothier*, &c. Yet these Lords must not be called the Upper, but *The Other House of Parliament*.

Nothing could have madded the *Republicans* more than this *Other House of Parliament*. What, said they, have we fought to Depose the Prerogative-Creatures, the Lords, those Limbs of Tyranny, who so lorded it over the Free-born People of England; and shall we submit to these Creatures of *Cromwel*, to usurp the same Tyranny over us and the Free-born People of England!

Nor did this end in Words only, but the *Republicans* conspire to make an Insurrection against *Cromwel*, but were discover'd and dispersed by *Cromwel*; for which, *Cromwel* committed *Lawson* (afterward Sir *John*) *Harrison*, *Rich*, (Sir *Robert's* own Father) *Danvers*, and several other Officers: And one *Sundercome* more boldly attempted to have killed *Cromwel*, as he should pass from *White-hall* to *Hampton-Court*; and to that purpose, had prepared a Blunderbuss loaded with twelve Bullets, to shoot him out of an Arbour as he should pass in a narrow Way in *Hammer-smith*: but one *Toop*, who seem'd to conspire in it, discovered this to *Cromwel*, and so *Sundercome* was taken, and condemned for High Treason by *Cromwel's* Law made this Parliament: but *Sundercome* escaped the Execution, being found dead in his Bed before.

Nor did this and the *Other House* agree better than *Cromwel* and the *Commonwealth-Men*; this scorn'd the *Other House*, as having no Authority from the People, and were as vain as useles: so that to prevent further Heats, *Cromwel* adjourns them for six Months.

I'll vie this *Cromwel* against *Tarquin*, *Agathocles*, either of the *Dionysius's*, or any of the *Roman*, *Athenian* or *Sicilian Tyrants*, that he was a more arrogant and boundless Tyrant than any or all of them.

For if Tyranny be either *Sine Titulo*, viz. To arrogate a Power over another, which he hath nothing to do with, or *ab Exercitio*, to be bound by no Laws; then both ways *Cromwel* was a greater

greater Tyrant; for *Tarquin* had a Title, and his Vices were rather personal and particular, than tending to subvert the *Roman Laws* and *Constitutions*: So were the Vices of *Agathocles* and both the *Dionysius's*, &c. Whereas *Cromwel's* Title was only from some corrupted Officers of an Army raised by his twice deposed Masters, and what *Widdrington* begirt him with.

So tho *Cesar* and his Successors, did assume to themselves an *Imperial Power*; which did not well sute with the *Consular* and *Tribunitial Dignities*; yet they never made a Pack of Senators to do whatsoever they would have them; nor forced or corrupted the Free Voices of the *Romans*, in chusing such Tribunes as the Emperors pleased; and permitted the *Roman Laws* to have their free Course.

Whereas *Cromwel* made a Parliament (as 'twas called) of his own Nomination; and tho he called two more, yet they met by Elections utterly unknown to our *Laws* and *Constitutions*; and when they met, he would suffer none to sit, but such as would own his Authority:

By our *Laws* the King cannot tax the Subject, but by Consent in Parliament; whereas *Cromwel*, by his *Instrument of Government*, of his own Will alone, taxed the Nation to maintain him an Army of Twenty Thousand Foot and Ten Thousand Horse; and after taxed the *Cavaliers* a tenth Part of their Estates.

It's the Birth-right of every *English-man*, not to be punished in his Person, Liberty or Fortune, but by Judgment of his Peers, or the Law of the Land; and these to be done by Legal Officers; whereas this *Cromwel*, without any Law, imprisoned, and took away Mens Lives and Estates, by a new thing called *A High Court of Justice*, never heard of in this Nation, before the *Rump* and himself; the Judges whereof were of his own naming; and his *Janisaries*, the Soldiers, his Military Executioners.

But it may be objected, *Cromwel* had reason for erecting his *High Court of Justice*, having been so ill used by *Jurors*: for he had by them tried *John Lilburn* twice for High Treason, and Sir *John Stawel* thrice, who were acquitted by these Juries; yet neither of them could be discharged from their Imprisonment, which by Law they ought to have been.

But that which madded *Cromwel* most, and made him utterly out of love with Juries, was, that three Men, *Davison*, *Holder* and *Thorold*, being apprehended, upon Suspicion of endeavouring to bring in the King, were committed Prisoners to a Provost Marshal; and these having obtained leave of the Provost to walk abroad under the Guard of a Souldier, they would have wheedled the Souldier to have made their Escape, which the Souldier refusing, they killed him.

Cromwel;

Cromwel, who before designed to have sacrificed these Men by a High Court of Justice, having, as he thought, a more plain Proof of Murder against them, than he had for their endeavouring to bring in the King, would now try them at *Common Law* by a Jury.

When they came upon their Trial, they pleaded Not Guilty; and upon their Trial the Question was, *Whether they were legally committed*; which if the Jury found, they were to find them guilty of Murder; if not, they could find it but *se defendendo*, or at highest but Manslaughter; and the Jury found them not legally committed, and so acquitted them of Murder. This put *Cromwel* so out of conceit with Juries, that he never after made use of them in Capital Cases: However by this he might see, he was as little regarded by the Body of the Nation, as by his discarded Officers and the Commonwealth-Men.

Nor was *Cromwel* a better Governour in Church than State, for he prostituted all Orders of Christianity; and so little regarded things dedicated to Sacred Uses, that he made St. Paul's Church a Garison for his Souldiers, and a Stable for Horses: and his Want of Money was as Great, as the Love of the Nation was little.

This being a forc'd-Put, he'll try once more what he can get by a Parliament; and that it may be a *Free Parliament*, it should be made up of the other House, and *Republicans* were permitted to sit in this. Thus qualified, they met upon the twentieth of January, 1657. Never was such Brawling heard, the *Republicans* brawling against *Cromwel's* Creatures in this House; and both against *Cromwel's* Lords in the other House: so that it may be truly said of this Parliament,

That this did out-babble that of Barebone's as far,

As these above those Men in Number are,

viz. Above Three-fold more.

Cromwel therefore, not able to endure their Jangling longer, and having got not a Groat by them, suddenly dissolved them, and shall never call another.

To make this Tragedy a little comical, Cardinal *Mazarine* was as little a Slave to his Word as *Cromwel*, and endeavoured to enlarge the *French* Dominions by as unworthy means as *Cromwel* did to establish his. About this time a Party of the Garison of *Ostend*, with the Privy of the Governour, held Intelligence with *Mazarine*, and after with *Cromwel*, to betray the Town to the *French*, wherein *Cromwel* was to have his Share: *Mazarine* was to send a Land-Army, commanded by Marshal *d' Aumont*, and *Cromwel* was to provide a Fleet to transport them; and the Articles of Agreement were agreed upon between the supposed Conspirators and

the Cardinal in April 1658: but here *Cromwel* was at greater Charge for his Fleet, than *Mazarine* for his Army, and *Cromwel* had outbid *Mazarine* for the Bargain, but little Money was to be paid before the Town was surrendered.

The Agreement being made, upon the 14th of May 1658, the Fleet appeared before *Ostend*, and the Garrison in the Fort permitted the French to pass and land; but the Governour fearing if the English Fleet should enter, they might endanger the Town, with his own Hands pulled down the white Flag, and set up the bloody Flag: but before the English Fleet could tack about, it was foregalled by the Artillery planted upon the Fort, before it could get out of their reach; and the French which landed were killed or taken every Mother's Son, to the number of 1500; the Marshal was of the number of the Prisoners. This Story is pleasantly and particularly printed in Spanish by one of the Agents; translated into English under the Title of *Harm watch, Harm catch*.

Mazarine with much ado got his Men again which were not killed; but how shall *Cromwel* get his Money again, of which he had more need than *Mazarine* had of his Men? nor would *Mazarine* part with one Groat, he had been out of Pocket too much to redeem the French.

By this time *Cromwel* was in ill Plight, hated of all Factions as much as of the Royalists; he had nothing to trust to but a Mercenary Army, which he could not pay, and above half of these would have been content to have his Throat cut: His Means would not pay for the Intelligence he was forced to buy at home and abroad, to discover the Practices which were every day hatching against him: So as he had no Security, but in the general Fear, which all the Factions, as well as he, had, that their Discords might give an Occasion of restoring the King, to the ruine of them all.

Nor were their Fears without Ground, for at this time there was an Inclination of the Royalists in all parts of England to rise; and the Marquess of *Ormond* was sent by the King to encourage it, having gotten a Company of Men together beyond Sea, under the Command of General *Marfin* to assist them.

But *Cromwel* had his Spies every where, who betray'd all; the principal of these Spies was Sir *Richard Willis*, (who was always upon his Discovery of these Plots, one of the first committed to the Tower) and one *Corker* (who had served King *Charles* the First, and was one who assisted in killing *Rainsborough* at *Doncaster*) so as *Cromwel* nipp'd all in the Bud before they moved: Yet notwithstanding all his Diligence, *Ormond* made his Escape, only to give the King an Account of the Discovery and Ruine of his Design.

Though

Though the *Royalists* could draw no Blood from *Cromwel*, yet he resolved to take some from them; yet would not do it by *Juries*, (having had such ill Luck with them) but by a Court of Justice of his own Creatures and Nomination, headed by *Lisle*.

Before these were haled my Lord *Mordant*, Sir *Henry Slingsby*, Dr. *Hewet*, the two *Staleys*, *Woodcock*, *Mallery*, *Rivers*, *Dike*, and many others.

Dr. *Hewet* denied their Jurisdiction, and was condemned for Contumacy; Sir *Henry Slingsby* pleaded, yet was condemned; my Lord *Mordant* was acquitted by the Majority of one Vote, when *Pride* came in, who if he had been there, had turned the Scales; and *Woodcock* behaved himself so well as he was acquitted: The rest were condemned, yet some for Money got their Pardons; and others, who had not so much Money, for somewhat less, and swearing themselves out of the Plot, saved their Lives. Sir *Henry Slingsby* and Dr. *Hewet* were beheaded, others hanged and quartered.

Yet this good Success gave little Comfort to *Cromwel*, for to all his former Disturbances were added the Disorders of his own Family; his Son-in-law *Fleetwood*, and Brother-in-law *Desborough*, caballing with the *Republicans* and *Dissenting Officers*, so as they rarely visited him; tho *Cromwel*, to sweeten *Fleetwood*, promised to name him his Successor; and to these, *Lambert*, since his Discarding, joined.

Cromwel having so little Dependance on his Army, sets up another of *Voluntiers*, to have Eight Pounds a Year apiece to be ready to serve him: These were a Company of Fellows, who as their Pay was little, so were their Horses jades and lean, and a Troop of the Army-Horse would beat ten of them; yet they served *Cromwel* so far, as to seize *Malignants* whenever he sent them; and were Spies over all suspected Persons, and to inform him of their Demeanour.

All the Joy *Cromwel* had in these Anxieties and Inquietudes, was in his beloved Daughter *Cleypole*, who even to his Heart-breaking, died the 6th of August 1658, and upon the third of September following, he himself followed her, in a terrible Storm of Wind; a day upon which at *Dunbar* in *Scotland*, and *Worcester* in *England*, he had sent so many thousands before, for which he then was to give an Account.

However *Cromwel* lived, yet when he died, all the Flattering Poets strained their Wits to that Pitch, to celebrate his *Encomiums*, so as that they could never after arrive to it.

The Good Deeds of Oliver Cromwel.

THUS in some measure, and in *Epitome*, you have seen, if not the Life, yet the Rage of *Cromwel* in his Usurpation; in which, as I have said nothing of him for Spite, having never done me any Wrong, but what was common to all the Nation; so I think in Justice I ought to do him Right, wherein (as I conceive) he deserved well of the Nation.

1. By *Blake* he more humbled and subdued the *Algerine*, *Tripoli* and *Tunis* Pirates, than ever any before or since did.

2. *Westminster-Hall* was never replenished with more learned and upright Judges than by him; nor was Justice either in Law or Equity in Civil Cases more equally distributed, where he was not a Party.

3. When the *Norway* Traders represented to him the Mischief and Inconveniences the *Act of Navigation* brought upon the Nation, (which may be at large said elsewhere) *Cromwel*, during his time, dispensed with it, and permitted the *English* to trade to *Norway* for Timber, Masts, Pitch, Tar and Iron, as before the *Act*: And by a Law made in *Cromwel's* Third Parliament in *June* 1657, which was but five Years after the *Rump's Act of Navigation*, Licence is given to transport Fish in Foreign Bottoms. See *Whitlock's Memoirs*, f. 661. a. So little then was the *Act of Navigation* regarded.

4. Tho *Cromwel* play'd the Fool in making War upon *Spain*, and Peace with *France*, yet he made a more advantageous Treaty of Commerce for the *English* to *France*, than before they had: I have not seen it, but had this from our *English* Merchants who traded to *France*.

5. Tho *Cromwel* joined Forces with the *French* against the *Spaniard*, yet he reserved the Sea-Towns conquered from the *Spaniard* to himself; so had *Dunkirk* and *Mardike* delivered up to him; and would have had *Ostend*, if the *Garison* had not cheated both *Mazarine* and him; thereby to be Arbitrator over the *French*, as well as *Spaniard*, when he pleased.

6. *Cromwel* out-vied the best of our Kings, in rendring our Laws to the Subject in the *English* Tongue; for tho *Edward* the Third (the most Excellent of our Kings) permitted Pleading in the *English* Tongue, yet he went no further; whereas *Cromwel* rendred, not only the Pleadings, but Practice, and Laws themselves into the *English* Tongue; and herein he imitated our Saviour, common Justice, and the Practice of the most Learned and Civilized Nations.

I say, he imitated our Saviour, who after his Ascension wrought his first Miracle, by inspiring his Apostles to speak all Languages, to teach the Gospel to all Nations in their Native Tongue; and by the same reason, all Nations ought to be instructed in their Laws in their own Tongue.

I say, this is conformable to common Justice; for all Laws ought to be *a Priori*: for where there is no Law, there is no Transgression; and if Laws be rendred in a Tongue not understood, it's all one to those who understand not the Language, as if there had not been Laws.

The Romans and Grecians, who were the most Learned and Civiliz'd of all Nations, would never endure a Foreign Word in any of their Laws, lest the Subject through Ignorance of it might be unjustly punished, when 'twas not his fault. When *Caesar* was murder'd in the Senate, and the Senators were ready to cut one another's Throats, *Cicero* cried out, *Let there be an Amnestia, and for the future the Power to reside in the Senate*: And you may read in his second *Philippicks*, the long Apology he makes for suddenly using this Foreign Word in the Senate. And *Tiberius* asked leave of the Senate to use *Monopolion*, because 'twas foreign to the *Latin*. And the Romans, as well as Grecians, not only instructed Youth in their Laws, but in all Arts and Sciences in their Mother-Tongue, and thereby became the most Learned of all Nations. But these good Deeds of *Cromwel* you'll soon see will not long out-live him.

C H A P. III.

A Continuation of this Treatise, from the Death of Cromwel, to the Restoration of King Charles the Second.

AFTER the Death of *Cromwel*, there was some Grumble between the Republican Officers of the Army and Protectorian, who should succeed: Those said, that *Cromwel* when he was well, promised his Son-in-law *Fleetwood*, that he should succeed; but these said, That tho *Cromwel* was sick, yet he declared his Son *Richard* his Successor, and that this was his last Will: And besides, *Cromwel's* Council (which by the Instrument of Government had the Power) had elected *Richard*; and so *Richard* was proclaimed Protector in all the publick Places of England, Scotland and Ireland.

Richard thus seated, not only the Protectorian, but the Officers of the Republican Faction congratulate him, and under their Hand-writing, promise to be true to him: and what Cromwel so industriously obtained from the Mercenary Officers of the Army in England and Scotland, to congratulate him in his assuming the Protectorian Dignity, and to assist him in it with their Lives and Fortunes, is now voluntarily done by numerous Companies of Sy-cophants from all Parts of the Nation, to the number of ninety Congratulatory Addresses, which Richard had as little good of, as King James II. had from those above thirty Years after, When they flatter'd that Prince in those things which tended to the Subversion of the English Constitution, both in Church and State.

But Richard's wandering Joys faded in the Bud: For after his Father's Funeral, the Pomp whereof undid him, the Republican Officers cabal and conspire to depose Richard, and exalt Fleetwood; and in two respects they say Fleetwood ought to be Protector; one, that he was truly Godly, and an expert Leader, and had been tried to be so in many Difficulties: The other, Cromwel had by his last Will, when he was *Compos Mentis*, design'd him his Successor; whereas Richard was substituted in a surreptitious manner, by the Craft of some of the Council, when Cromwel had lost his Senses.

Lambert, after he had been discarded by Cromwel, betook himself to *Wimbleton-House*, where he turned Florist, and had the fairest Tulips and Gelliflowers that could be got for Love or Money; yet in these outward Pleasures he nourished the Ambition he entertain'd before he was cashier'd by Cromwel: And in these Dissensions, as Tortoises do upon the approach of the Spring, he comes abroad, and becomes a prime Ring-leader in the Cabal, and in due time shall be the Ruin of them all.

The first thing they agree upon, was to restore the common Souldiers to their former Pay, which Cromwel had retrench'd two Pence a day: And herein they shew their good Will, as Devo did; but how to pay the Souldiers they could no more tell, than how Devo's Executors should pay his Legacies.

In this Kindness to the common Souldiers, the Officers did not forget themselves, and charge the Memory of Cromwel, that he ruled over them with a Tyrannical and Despotical Power, turning out and putting in Officers by his own Will; therefore they petition Richard, That for the future, no Souldier be turned out of his place without a Council of War, nor any Action brought but by Martial Law: That no Souldier be tried in any Criminal Case, but in a Court-Martial; and that the Souldiers have Power to chuse their own General.

Richard was Head of no Faction as his Brother Fleetwood was, nor was his gentle and easy Nature a fit Match to encounter the intriguing

intriguing Designs of *Lambert*, or resist the rude Attacks of his Clownish Uncle *Desborough*, and so foresees no Help to be had for his Security, but from a Parliament.

Therefore *Richard* summons a Parliament to meet at *Westminster* upon the 27th of *January* 1658, of the Composition made by his Father, of *this* and *t'other House*; this to consist of 400 *English*, 30 *Scots*, and as many *Irish*.

This and *t'other House* met accordingly, when *this House* fell at Variance with *t'other House*, by what Right they sat there: Nor did *this House* agree better with the *Scots* and *Irish* sitting there, having no Right to sit and vote with the free-born *English*, they being conquer'd Slaves, and Creatures of the Protector: Nor did the Republican and Protectorian Factions agree better. However, all agreed to recognize *Richard* Protector of *England*, *Scotland* and *Ireland*; yet would not agree to *Cromwel's* Instrument of Government, but inveighed bitterly against it, as being extorted from a lame Parliament that was neither full nor free: But they recalled *Overton*, who was imprisoned in *Jersey* by the Arbitrary Will of *Cromwel*, and made an Ordinance against the meeting of the Officers of the Army to hold Consultations, till the Parliament should determine Affairs.

This Ordinance stung the Caballing Officers to the quick, so that they resolved to be rid of *Richard* and his Parliament too; but how to do this, or where to begin, admitted of great Debate: For to begin at *Richard* now the Parliament was sitting might be dangerous, since the Parliament had so lately recognized him, and so many thousands of the People had congratulated his Assumption into the Protectorate. And to begin at the Parliament might be as dangerous, for this they thought would disgust the Nation in general; neither did they know whether the Parliament would be disbanded by them: they therefore resolve they'll make *Richard* dissolve them, and take the Odium upon himself; and when that's done, they'll do well enough with *Richard*.

To this end the Officers urge *Richard* to make good their Proposals: but the Protectorian Officers advised him to seize the Heads of the Republican, which tho *Richard* durst not come to, yet he spake high, and threatened the Officers to cashier them.

This had a double Effect, for the Protectorian Officers, the Lord *Falconbridg*, Captain *Philip Howard*, Colonel *Ingoldsby*, *Whaley*, *Goff*, and others, seeing the meanness of *Richard's* Spirit in neglecting their Advice, leave him, and the Republicans were not to be quelled with Words, but exasperated by them; so that upon the 22d of *April* they beset *White-hall*, and sent *Desborough* and *Fleetwood*, to beseech him to dissolve the Parliament; and if 'twere not speedily done, they would set fire to the House, and kill all who should resist; which so frightened *Richard*, that he forthwith signs

a Proclamation for dissolving the Parliament. The Parliament thus dissolved, *Richard's* Turn was next to be deposed, not one of the manifold thousands of the ninety Congratulatory Addressees, who promised to stand by *Richard* with their Lives and Fortunes, speaking one word in his behalf; and so shall such another Turn about thirty Years after be served on King *James* the Second.

Tho *Richard* and his Parliament were out, yet something else must be in; yet before they would put in any thing else, the Republican Officers send *Ingoldsby*, *Goff*, *Whaley*, my Lord *Falconbridge* and *Howard* (after Earl of *Carlisle*) after *Richard* and his Parliament, and take in *Lambert*, *Harrison*, *Rich*, *Parker*, *Okey*, and others, whom *Cromwel* turn'd out: But before they would set up any thing instead of *Protector*, they make *Fleetwood* General by Sea and Land, and *Lambert* Lieut. General.

To prepare the way for what was to be set up, the Officers prepare a Remonstrance, inveighing bitterly against the Malignants, (for so they call the Royalists) that they had printed Lists, and marked for Destruction the Godly (especially the King's Judges); and therefore they would revive the *Good Old Cause*, and restore the Rump Parliament: but *William Pryn*, according to his rude way of writing, answered them, *That their Cause was neither Good nor Old*, and bitterly charges them with Treachery and Ingratitude.

But all to no purpose; for since no better was to be had, these Officers awake the *Rump* out of their Lethargy, wherein they had been above five Years asleep, and now were become so miserably lean, that none but the Officers could abide the sight of them; they could get but forty two together, and these looked so wretchedly, that they had much ado to get *Lenthal* to be Head again to it. But how nasty soever the *Rump* was, the first secluded Members would have sat with them, but the *Rump* would none of that, but set Guards at the Door of the House to keep them out.

Thus got together, they again depose *Richard*, and send *Ludlow* to do the same by *Henry* in *Ireland*: and thus you see what Security can be had by relying upon a Mercenary Army, one part of it exalted the Father, and another part of the same Army deposed both the Sons.

But in *Scotland* they let *Monk* alone, who promised to be true to them. Yet these were not the *Halcyon* Days the Republican Officers expected by restoring the *Rump*; for the *Rump*, tho it had been long asleep, yet remembered they were before turned out by the Officers of the Army; and that they shall do so no more, they make *Lenthal* General of all the Forces in *England*, *Scotland* and *Ireland*, by Sea and Land.

The *Rump* being contemptible to all the Nation, and the Officers of the Army being thus divided and subdued, and like Vir-

ginal-

ginal-Jacks, when one was up the other was down, raised the Expectation of the Royalists, *That a sudden Change would be, which could end in nothing but restoring the King*: And the *Presbyterians*, exasperated by the *Rump's* Repulse, again resolve not to sit quiet under it, and therefore a Correspondence is held between them and the Royalists, to depose the *Rump* whatever came of it.

To this end Sir *George Booth* rises in *Cheshire*, with whom Sir *Thomas Middleton* joined, but was ill seconded by the Royalists.

This alarm'd the *Rump*, for they expected no better from the *Presbyterians* than the *Royalists*: And now the *Rump* not well knowing the Man, had so little Wit as to send *Lambert* against Sir *George*; and you'll soon see *Lambert* shall do that by the *Rump*, which the *Presbyterians* and *Royalists* both together could not do.

For *Lambert* having overthrown *Booth*, and taken him Prisoner, tho the *Rump* were mightily joy'd at it, and voted *Lambert* a Gratuity of a Thousand Pounds, yet this no ways alter'd the Designs of *Lambert*, which ever since the Death of *Cromwel* he had been hatching.

For *Lambert*, after the Defeat of the *Cheshire-men* (in his return for *London*) at *Derby*, the 16th of *September*, procured a Petition from the Officers to the *Rump*, that *Fleetwood* might be General of the Army, and himself Lieutenant-General: He was content to give *Fleetwood* the first Place, as *Cromwel* had given *Fairfax*; for he knew himself to be too hard for *Fleetwood*, and a much better Souldier, and so would do what he list: And the greater part of the Officers in *London* join with *Lambert* in his Petition.

The *Rump* was more alarm'd at this Petition, than at Sir *George Booth's* Insurrection; so as all Prosecution against him and the *Cheshire-Men* was at a stand; nor were the *Rump* of one piece among themselves: for Sir *Arthur Haslerig* (a hot-headed Man) was violently against the Army, and said, they made the Parliament a precarious thing; and that *Lambert* trod *Cromwel's* Steps, and his seeming Modesty in preferring *Fleetwood* was but a Decoy: But young Sir *Henry*, now become old Sir *Henry Vane*, with much more cunning, endeavour'd to carry on the Designs of *Lambert* and his Faction.

However, the Majority of the Members, rather than be deposed, depose *Lambert*, *Desborough*, *Berry*, *Kelsey*, *Ashfield*, *Cobbet*, *Creed*, *Parker* and *Barrow*, and make a Council of War, without naming a General, of *Fleetwood*, *Monk*, *Haslerig*, *Ludlow*, *Morley* and *Overton*. And to starve *Lambert* and his Officers, the *Rump* vote, *That no Money shall be raised without Consent in Parliament, and he that shall do it, shall be guilty of High-Treason against the Commonwealth*. And the Nation, to whom the *Rump* and Army were alike hateful, took this for a very good Law.

However,

However, before this Infant Council of War should be warm in their Seats, *Lambert* resolves to beat up their Quarters, and marches directly to *London*: but the *Rump*, who had Intelligence of *Lambert's* Motion, would not tamely be turn'd out, but appoint *Moss* and *Morley's* Regiments to guard the House; yet *Lambert*, upon the 13th of *October*, with a stronger Guard, hastens to the *Old-Palace-Yard*, and before the Members came, set Guards upon all the Avenues to the House, not permitting any Member to enter, and sends the Speaker back into the City.

Now is the *Rump's* Lethargy (from which they were recover'd but five Months and some few Days) turned into a Convulsion; and the next Fit you'll see will carry it quite off.

Instead of the *Rump*, the Officers set up a new thing, which they call *The Committee of Safety*, which consisted of 22; whereof *Vane*, *Fleetwood*, and *Ludlow*, were prime Directors.

Lambert having thus turned out the *Rump*, his Turn shall be next: But before we proceed, it's fit to see how things stood in *Scotland*; where, at this time, all things (contrary to the *Scottish* Temper) were in perfect Peace and Quiet: and to keep the *Scots* so, the *Rump* and *Cromwel* had built four Citadels upon the four principal Passes in *Scotland*, viz. at *Leith*, *Aire*, *St. Johnstons*, and *Inverness*, which bridled the *Scots* from holding Communication within Land, and which cost above 30000 *l.* being three Regular Fortifications on the North Sea, and one upon the West, for to relieve the *English* in case of Land-Sieges, or other Accidents.

After *Monk* had perfectly subdued *Scotland*, he took Care for constant Supplies out of *England* for the Payment of his Soldiers, whereby he kept them in such regular and severe Discipline, that Disorders rarely happen'd among them; and hereby *Scotland* did never before abound in so much Wealth and Trade: and to these, *Monk* duly observed all Articles made with the *Scots*, whereby the common sort of *Scots* enjoyed more Liberty and Wealth than ever before they had under their Lords and Lairds: and now no Man durst oppress his poor Tenants and Neighbours. He likewise suppressed all those *Scottish* Feuds which before so often raged in *Scotland*; and compelled the Clergy to mind their own Function, without meddling with Temporal Affairs. So as the *Scots* never lived so free and happy under their Kings, Nobles, and Lairds, as in that short time they did under *Monk's* Regency.

In this State *Monk* hired the Countess of *Bucklough's* House, about five Miles from *Edinburgh*, which had fine Gardens, Orchards, and a stately Park, walled about, belonging to it; and here he fell into the Acquaintance of the principal Nobility and Gentry of *Scotland*, and by his Familiarity and Affability with them, he gain'd their Love and Friendship: And in this State *Cromwel* would have found it a hard Task to remove him.

After

After *Cromwel's* Death, and that his Son *Richard* became *Protector*, he careſs'd *Monk* by frequent Letters, and great Proteſtations of Kindneſs, intreating alſo his Advice and Aſſiſtance, letting him know, that his Father did recommend to him, as an eſpecial Command, to be chiefly ruled by his Prudence. *Monk* in return answered, That he was very remote, and could not well tell what to write at ſuch a diſtance; but adviſed him to call a Parliament, which was the Wiſdom of the Nation, by whom he might be beſt inſtructed: which *Richard* did, and if he had ſtood by them, it's thought *Monk* would have ſtood by him; but *Richard* ſpoil'd all by diſſolving the Parliament; and when the *Engliſh Army* had depoſed his Brother *Henry*, by frequent Meſſages and Letters he invited *Monk* to appear, to give a Check to the mutinous and ſeditious *Engliſh Army*, which now courted *Monk* as well as he; and ſo did the *Rump* after they were reſtored: So that in all the Troubles and Alterations in *England*, both *England* and *Ireland* too courted *Monk*, who ſat ſtill, and was quiet in *Scotland*.

Lambert's ſiry Ambition burnt out that Prudence which *Cromwel* obſerved, in making ſure of *Monk* before he attempted to turn out the *Rump*; which *Lambert* did not, nor ſo much as made his Deſign known to *Monk*. The turning out the *Rump*, and erecting a *Committee of Safety* to govern, being Sectaries, Republicans, and Enemies to *Monk*, which he called *Fanaticks*, he knew no Good was intended him by this Change; and therefore reſolved not to ſubmit to it: But herein *Monk* proceeded with as much Caution and Prudence, as *Lambert* did in Haſte and Folly. Here you may ſee how Ambition and Intereſt change Mens Actions; for herein, what *Monk* allowed in *Cromwel*, he diſclaims in *Lambert*.

For upon the 18th of *October*, *Monk* marched with his own Guards from *Dalkeith* to *Edinburgh*, where his own Regiment of Foot quartered, and ſeized all ſuch Officers as he ſuſpected would not be true to him in his Deſign, and ſecur'd them; and drew his Forces into the Field, and gave them an Account of his Reſolution, To adhere to a Civil Authority, and not to follow the *Engliſh Army* in their mad Counſels and Fanatick Courſes; which was entertained by the Soldiers, and generally by the *Scots*.

At his Return out of the Field, he received an Expreſs from the Governour of *Berwick*, That he feared he ſhould not be able to ſecure the Town for him, almoſt all the Officers in the Town being *Anabaptiſts*: Whereupon *Monk* gave Order for a Troop of Horſe to march to *Berwick*, to fetch away the ill-affected Officers, and ſent alſo a blank Commiſſion to the Governour to put in what Officers he pleaſed; but it was difficult to get a Troop to march, being about 40 Miles from *Edinburgh*, the Days ſhort, and Ways deep and bad: yet Caprain *Johnson* undertook the Journey, and arrived at *Berwick* but the Night before Colonel *Cobbet* entered *Berwick*.

Berwick, sent from *Lambert*; whom *Johnson* seized, and sent *Cobbet* and the suspected Officers Prisoners to *Edinburgh*.

'Twas well *Monk* succeeded so well at *Berwick*, for otherwise he had had a hard Game to play, the *English Army* in *Scotland* being far off, in the more remote Northern and Western Parts of it, and *Lambert* upon his March from *London*, with (it may be) the bravest Body of Horse in *Europe*, against him, and could augment his Foot in his March. But if *Monk* was fortunate in reducing *Berwick*, he was not less unfortunate in endeavouring to reduce *Carlisle*; for having sent Captain *Dean* upon that Account, his whole Troop deserted him, and joined with the Garrison. Besides, *Monk* having sent Letters to many of the Officers in *Ireland* whom he thought he might confide in, and to the Officers in the *English Fleet* then riding in the *Downs*, they all refused to join with him. Hereupon the Sectaries in the *English Army* grew insolent, and drew off from *Monk* in Discontent: whereupon *Monk* kept back their Pay, and bid them seek their Arrears of them to whom they were going; which they could not have done in a worse time, now the *Rump* had voted it Treason to raise any Money to pay them: these Officers were above 140, and their Arrears *Monk* kept, the better to pay the Officers he could confide in. However, this could not secure *Monk* of those Soldiers which he confided in; for *Robinson*, a Captain of *Dragoons*, having received his Pay, and the Soldiers Back, Breast, and Pot, ran away with his whole Troop to *New-Castle*; and most of *Twisleton's* Regiment refused *Monk's* Service. However *Monk*, by *Dr. Troutbeck*, received secret Assurance from my Lord *Fairfax*, to be assisting to him.

Now with insincere Affections both sides agree to a Treaty of Accommodation to be at *London*, and *Monk* named *Wilks*, *Knight*, and *Cloberry*, his Commissioners: these had publick Instructions from the General Council, and private from the General; to which the Committee of Safety named three (whose Names I do not find) to treat with them. These agreed that a Committee of 19 should be appointed; five for *England*, not Members of the Army, viz. *Whitlock*, *Vane*, *Ludlow*, *Salway*, and *Berry*; five for *Scotland*, viz. *St. John*, *Warveston*, *Harrington*, *Scot*, and *Thompson*; the rest for *England*, *Scotland*, and *Ireland*, to be Members of the Army; they to determine the Qualifications of the Members of Parliament.

That two Field-Officers of every Regiment, and one Commissioner of every Garrison, and 10 Officers of the Fleet, shall meet at a General Council, to advise touching the Form of Government.

Monk, as astonished at this Agreement, and contrary to his wonted Reservedness, told the Messenger, That if the Honesty of some, certainly the Prudence of them all was to be suspected, and committed *Wilks* to Prison for transgressing his Commission; and

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'twas observed, he never was so much out of Humour as upon his Commissioners assenting to this Agreement: for by this Agreement, the Committee would consist of threefold more for *England and Ireland* than for *Scotland*; and the General Council fourfold more: so that *Monk* and all the *Scots* Officers would be at their disposing.

Dr. Gumble, pag. 152, 153. says, While *Monk* was in this melancholy Mood, not speaking, or permitting any to speak to him; one of *Monk's* Acquaintance, who was of a pleasant and free Conversation, came where *Monk* was, who asked this Gentleman, *What he had to say to this Agreement?* Truly Sir, says he, I am come to make a little Request to you. *What's that*, I wonder, says *Monk*? Even that, says he, you will sign me a *Pass* to go for *Holland*; yonder is a Ship at *Leith* that is ready to sail. *What*, says *Monk*, will you leave me? He answers, I know not how you may shift for your self by your Greatness; but be confident, they will never be at rest till they have torn you from your Command; and what they will do with you then, it concerns you to consider; but for my self, tho I am a poor Man I will never put my self into their Power, for I know it will not be for my Safety. *What*, replies *Monk* hastily, will you lay the Blame upon me? If the Army will stick to me, I will stick by them. The Officers gave him Assurance they would, for the Danger was common to them all: And such a Joy among them hereupon succeeded, that some expressed it with Tears.

'Twas said, That *Fleetwood* was as fearful of *Lambert* upon this Agreement, as *Lambert* was of *Monk*, in case he would not agree to it. *Monk* therefore wrote to *Fleetwood*, That the News of a Pacification was very agreeable to him, but that he found some things doubtful in the Conditions, and other Matters not rightly transacted by his Commissioners; that therefore, that the Agreement might be more solid, he desires the Number of the Commissioners might be encreased, and *Newcastle* as a more proper place for the Meeting. *Fleetwood* (tho dissuaded from it by *Whitlock* and others) agrees to this, and so does *Lambert*, whereby he did not shew himself a great Statesman.

Monk now resolved not to submit to this present Committee of Safety in *England*, sent Circular Letters to every Shire in *Scotland* to send to *Edinburgh* two Commissioners, and to every Burrough to send one; who met at *Edinburgh*, where they granted *Monk* 30000 *l.* Sterling above the Assessments, and proffered to assist him with 20000 Men if he pleased: *Monk* accepts of the first, and demurs upon the second; but only desired of them to take Care in his Absence that no Disturbances should be; and that they abjure King *Charles* and his Interest. I know *Dr. Gumble* denies this latter; yet I cannot believe the *Scotish* Writers about this time, viz. two or three Years after, should so positively affirm this, which

which all *Scotland* must know to be a Lie, if it were not so.

Monk having obtained this Aid in *Scotland*, which was Treason to impose in *England*, by this time *Lambert* being come to *Newcastle*, sent three Regiments of Horse, and one of Dragoons, into *Northumberland*, to seize on my Lord *Grey* of *Werk's* Rents; but *Monk* prevented the Design, having before done the Work, and carried the Money into *Scotland*; which *Dr. Gumble* says, was after restored. Hereupon *Monk* seizes Colonel *Zanchy* (who was sent from *Newcastle* with Letters to proceed in an additional Treaty) for Breach of certain preliminary Articles, one whereof was, That no Forces on either side should advance forward during the Time of the Treaty: And now *Monk* advances to *Coldstream*, a poor Place upon the *Tweed*, and there pitches his Tents; where he received Intelligence, that the Forces in *Ireland* had declared for *Monk*, and such as opposed his Designs were all secured. This was managed by the Earls of *Orrory* and *Monrath*, Sir *Theophilus Jones*, the *Warrens*, and Captain *Fitz-Patrick* (who after did the King excellent Service in securing *Dublin* for him) and others. And sure it's observable, that as our Civil Wars began first from *Scotland*, then from *Ireland*; so first from *Scotland*, then from *Ireland*, should arise that Peace which after succeeded in *England*.

Rubicon thus passed, all Terms of Accommodation ceased; *Monk's* Army consisted of four Regiments of Horse (and those pitiful ones) commanded by *Morgan*, *Johnston*, *Knight*, and *Clobery*; and six of Foot, commanded by Major-General *Morgan*, (whom *Lambert* had sent to treat with *Monk*) *Fairfax*, *Rede*, *Lidcot*, and *Hubblethorn*. *Monk* had this Advantage of *Lambert*, That his Horses were well fed, and his Souldiers lay in Tents; whereas *Lambert's* Horse had nothing but what they plunder'd, and his Foot were dispers'd into Quarters where they could get them: And at this rate *Lambert* came to *Newcastle*.

Whilst these things were doing, all was in a Hurlyburly in *London*: The Apprentices rise, and are suppressed by *Hewson*; however, the Citizens take the *Rump's* Vote for not paying Taxes without Consent of Parliament, for good Law; and therefore will pay none: and the Country follow their Example. The Souldiers too, tho they would be glad of their Pay when they could get it, yet agreed among themselves, That their Officers might fight with one another if they pleased, but the Souldiers would fight for none of them. My Lord *Fairfax* and the *York-shire* Gentry rise against *Lambert* behind, and *Monk* marches on before. *Portsmouth*, headed by *Haslerig*, *Walton*, and *Morley*, declares for the *Rump*; and *Lawson*, Admiral of the Fleet, stopt the Mouth of the *Thames*, threatning the Committee of Safety, That unless they restored the *Rump*, not one of them should escape.

In this violent Motion, or Commotion, the Lord *Willoughby*, *Al-derman*

derman Robinson (after Sir John) Major-General Brown (after Sir Richard) and some others, came to Mr. Whitlock (then one of the Commissioners of the Broad Seal) and propounded to him to go to Fleetwood, to advise him to send to the King at Breda (it should have been to Brussels, for the King came not to Breda before he was advised to it by Monk) and to offer to bring him in upon good Terms, and thereby prevent Monk's Designs; which Whitlock did, as at the Desire of them and Sir William Fleetwood his elder Brother; and shewed Fleetwood, unless he did it, he and all the Parliament-Party would be left at the Mercy of the King, whom Monk would bring in without any Terms, as he after did.

Whitlock therefore propounded to Fleetwood one of these two things; Either to give Order to all his Forces to draw together, and himself and Friends to appear at the Head of them, and so get what Strength they could that would stand by them; and accordingly to take further Resolutions, if they found their Strength but small (which he doubted;) then with those few which he had, to go to the Tower, and take Possession of it; and to send to the Mayor and Common-Council that he would join with them to declare for a Free Parliament; which he thought the City would willingly do, and furnish him with Money for his Souldiers, which would encrease their Numbers.

Fleetwood asked him, If he would go with him into the Field, and to the Tower? Whitlock said, He would. Then Fleetwood asked him, What was the other Way he had to propound to him in this Exigency? he said it was, That Fleetwood should immediately send away some Person of Trust to the King at Breda (Brussels) to offer to him his and his Friends Service to the restoring the King to his Right, and that upon such Terms as the King should agree upon; and for this purpose, to give Instructions to the Party whom he should send upon this Affair. Fleetwood asked him, If he would be willing to go himself upon this Employment? who answered, He would, if Fleetwood thought good to send him. With this, and some other Discourse, Fleetwood seemed fully satisfied to send Whitlock to the King, and desired him to go and prepare himself forthwith for the Journey; and that he and his Friends would prepare Instructions for him, so that he might begin his Journey this Evening, or early next Morning.

Whitlock going away, met Vane, Desborow, and Berry, coming to speak with Fleetwood; and about a quarter of an Hour after, Fleetwood returned, and, in much Passion, told Whitlock, I cannot do it, I cannot do it: who desir'd his Reasons; Fleetwood answered, I am engag'd not to do any such thing without my Lord Lambert's Consent: then Whitlock told him, You will ruin your self and Friends. See his Memoirs, fol. 692.

Thus you see how Man proposes, but God disposes: Monk that made the Scottish Nobility abjure the King and his Interest, brought him in; and Fleetwood, who would have done it, could not do it.

Fleet-

Fleetwood and his *Committee of Safety*, seeing all things now desperate, sent a humble Message to *Lenthal* to beseech him and the *Rump*, to take upon them the *Supream Government* again, which they graciously accepted, but came staggering into the House, being miserably shaken by their Convulsion, tho it lasted not 2 Months, a shrewd Sign they were not long liv'd.

The first thing the *Rump* did now they were out of their Fit, was to recal *Lambert's* and *Fleetwood's* Commissions, tho they need not have done it, for their Souldiers which before would not fight for them, now would not keep them Company, but deserted them; so that their Conditions were right lamentable: *Lambert* had no body to fight for him, nor *Fleetwood* scarce any to condole with him in his present Solitudes: However, the *Rump* committed *Lambert* to the Tower.

Monk now having broken off the Treaty of Accommodation with the *Committee of Safety*, marches on, and is every day addressed to, *That the Nation might have a full and free Parliament*; yet every one understood what was intended by it: and at *Morpeth* he met with a Letter from the Lord Mayor and Aldermen of *London*, by their Sword-bearer, promising the Concurrence and Assistance of the City in it: And that the End for which a *Free Parliament* was to be called, was interpreted by hanging out the King's Picture, which was no less gazed at by them, than by the *Welch-men* at King *Taffy's* Effigies at the *Welch-Gate* at *Shrewsbury*.

When *Monk* came into *Yorkshire* at *North-Allerton*, he was met by the Sheriff of the County, and at *York* he was magnificently treated by the City, and caressed by my Lord *Fairfax*, and a numerous Gentry; and here he received into his Service some of *Lambert's* Regiments, and sent back Major-General *Morgan* into *Scotland*, to keep all quiet there.

The *Rump* were scarce recovered out of their Convulsion, when they fell into a terrible *Quotidian* *Ague*, which shook them grievously; and yet could get no Physician which could administer any Comfort: They were sure they were no way concerned in the Nation's and City's Addresses to *Monk* for a *Full and Free Parliament*; they could not trust the *English Army*, nor would the Army trust them; all their Hopes were in *Monk* and his Army, yet were afraid of them; and tho they were so, yet could not tell to whom they should complain.

However not to be utterly wanting to themselves, they sent *Luke Robison* and *Scot*, to congratulate *Monk's* coming, and thank him for the *Rump's* Recovery; but not to speak one Word of the *Ague* the *Rump* were fallen into.

These met *Monk* at *Leicester*, and did their Errand, but *Monk* understood their Meaning, as well as they; and was as close in concealing his Intentions, as they were of their Errand; which was

to observe, and to be a Spy upon him in all his Motions: And *Monk* so far complied, as at *Northampton* he made the Officers of the *Irish* Brigade abjure the King and his Interest.

When *Monk* came to *St. Albans*, he sent to the *Rump* to turn all those treacherous Souldiers who had been so unfaithful to them, out of the City and Lines of Communication; which the *Rump* consented to: and the Day after, the 3d of February, in a Military Pomp, led his Army through *London*, and lodg'd in *White-hall*.

But the *Rump's* Frights were without end, for now they dreaded the Return of *Charles Stuart* (so they call'd the King) more than *Sir G. Booth's* Insurrection, or the Officers Rebellion; and since they could not fight him unless *Monk* help them, they'll try to swear him out, and see if *Monk* will join with them in it. And therefore the Council of State, next Day after *Monk* came to *White-hall*, tender'd him the Oath of Abjuring the King and Royal Family; which *Monk* thought not fit then to do, but said, *He would consider some time of it.*

The next Day after, *Monk*, attended by *Robinson* and *Scot*, went to the House, where the *Speaker* caress'd him in a florid Speech, congratulating his coming to Town; and in the Name of the House, thank'd him for the great Service he had done them. To which *Monk*, in a plain Soldier-like Answer, said,

That amongst the many Mercies of God to these poor Nations, their Restitution was not the least; that it was his Work alone, and to him belongs the Glory of it; that he esteemed it an Effect of God's Goodness, that he was some ways insirumental in it; wherein he did no more than his Duty, which did not deserve the high Mark of Favour they put upon it: That he would trouble them with no large Narratives, yet desired leave to acquaint them, That in his March from Scotland he observed the People in most Countries earnestly desired a Settlement for a full and free Parliament; and that they would determine their Sitting, a Gospel Ministry, Encouragement for Learning in the Universities; and that the Secluded Members before 1648, might be admitted without previous Oaths.

That he had answered, They (the Rump) were a free Parliament, and if there were any Force upon them, he would remove it; that you would fill up your House, and then would be a full Parliament; and that you had already determined your Sitting. And for the Ministry and their Maintenance, the Laws and Universities, you had declared largely concerning them in your last Declaration. That for the Gentlemen secluded before 1648, you had already given your Judgment, and that they ought to acquiesce therein: but to admit Members to sit without a previous Oath, was never done in England: yet begg'd leave to say, That the less Oaths and Engagements were imposed, your Settlement would be sooner attained; yet that neither the Cavalier nor Fanatick Party have any share in the Civil or Military Power. Then he recommended to them the State of Scotland and Ireland, which you

may read at large in the third Part of Dr. Bates's *Elenchus*.

The Rump were as little pleased with Monk's Speech, as the Council of State with his Refusal to take the Oath of Abjuring the King and Royal Family; therefore, seeing he would not Swear as the Rump would have him, they'll try if he will Do as they will have him.

The Common-Council in London had passed an Order, That unless they had a full and free Parliament, they would pay no more Taxes. This so-startled the Rump, that the next day after Monk had been at the House, they sent to him to send 12 of the forwardest Citizens to the Tower, and to pull up the City-Posts, Chains, and Portcullises.

In Obedience to the Rump's Order, Monk marches into the Old Exchange, and secur'd as many of the Citizens the Rump ordered, as he found there; but when he issued out his Orders to pull down the Posts, Chains, Gates, and Portcullises, the Officers withdrew, and consulted what to do; and resolved, They could not obey these Orders, and offered to lay down their Commissions. Monk endeavour'd to pacify them; and told them, The Orders of the Council were to be obeyed; but they persisted, so as he was forced to set his lesser Officers to do the Work, but did not pull down the Gates and Portcullises, thinking he had done enough to satisfy the Rump, but was mistaken, for the Rump sent more peremptory Orders, to pull down the Gates and Portcullises; which piece of Drudgery Monk perform'd.

Col. Herb. Morley, a Non-Abjurer of the King, at this time was Lieutenant of the Tower, and took this Occasion to come to Monk, and assured him for the Tower, himself, and Sir J. Fagg his Brother-in-law, whose two Regiments were in London, and were resolved to agree with him in any Matters that should be for the publick Peace and Settlement. This was a Preparative to what followed; and that Night Monk returned to White-hall.

And the next Day, or a Day after, Praise-God Barebone, with a multitude of Water-men and others (who it may be could neither write nor read) presented a Petition to the Rump, for the excluding the King and Royal Family, and that those who refused should not be capable of any Employment: for which the Rump thank'd them; but the Success shall be no better than Richard's 90 Congratulatory Addresses.

This struck directly at the Authority of Monk: whereupon he called a private Council of his Confidants, to advise what to do: where it was resolved, to take a General Muster of his Army in Finsbury-fields the 11th of Febr. From whence Monk wrote to the Rump, That the Services he had done them were slighted, whilst the late Traitors, no less Enemies to them than the Commonwealth, had more Esteem than he: From whence else was their Kindness to Lambert and Vane, and new Offences against him, and their Respect to that leering Heretick Barebone and all his Rabble? And therefore demanded that the filling up their Members be within a Week, and their Sitting determined, and to give place to a new Parliament.

From

From *Finsbury*, *Monk* sent to the Mayor, That he would dine with him at the *Bull-head* in *Cheapside*; where he desired the Mayor, in the Evening to call a Court of Aldermen at *Guild-hall*. This was blown about the City, and thousands came to *Guild-hall* (and I amongst the rest) to see what the Meaning of it should be.

About six *Monk* came, and all the way as he came, and quite through the Hall, the Cry was, *A Free Parliament*. I saw him when he lighted out of his Coach, and went leaning on Col. *Cloberry's* Shoulder, into the Mayor's Court, but not one word he said; and when he came into the Mayor's Court, he read a Letter he sent that Morning to the *Rump*, and then returned: the Cry was the same, *A Free Parliament*. *Monk* said nothing; *Cloberry* said, *You shall have a Free Parliament*. And it's not to be imagin'd, how far this spread in so little time; for, I believe, in less than 2 Hours all the Bells of *London* were ringing; and in all the Streets (to the number, 'twas said, of above 6000) Bonfires were made, and *Rumps* of all sorts roasting. But that Night *Monk* did not return to *White-hall*, but lay at the *Glass-house* in *Broadstreet*.

If the *Rump* were nettled at *Monk's* Speech, they were now ready to die for fear; but since they could not shew their Teeth, they would shew their Back-sides, and voted a *Committee of Five*, to order the Affairs of the Army, whercof *Monk* to be one.

But *Monk*, who but 4 Days before was so terrible to the City, is now become their Darling; they let him have 30000 *l.* to pay his Army in the City; whereas that without, was like a Herd of Goats upon the Mountains, having no body to look after them, nor a Penny to help themselves. And *Monk* now having his Army entirely at his Devotion, scorn'd, for all the *Rump's* Vote, to suffer any other of their Committee to partake with him in any part of his Authority over it.

And now *Monk*, with a better Authority, and more Applause than *Cromwel* had, might have set up himself for *Protector*, or what he pleas'd; but he saw the Genius of the Nation lay another way, and that 'twas more secure to follow it, than to set up himself against it.

He held therefore private Intelligence with the Heads of the Secluded Members about their Restoration on certain Conditions: The Secluded Members were zealously disposed to out the *Rump* upon any Terms, whatever came of it; they had more to say against the *Rump*, than the *Rump* had against the Officers of the Army, who had twice deposed them; and the *Rump* began the Game with the Secluded Members before the Officers began with them. So upon Feb. 21. *Monk* gave the Command of the Guard to Sir *Anthony Ashley Cooper* (after Earl of *Shaftsbury*) to permit the Secluded Members to enter the House; the first whereof was *W. Prynn*, tied to a great Basker-hilted Sword: yet the *Rumpers* were not excluded, nor did the Secluded Members care for it, being four to one. And so the *Rumpers* left the House, and fell into a Relapse of their

Convulsion, out of which they never recovered : nor did Barebone's Rabble afford them any Relief.

Thus you see the *Rump* and Secluded Members were like *Virginit-Jacks* too, when one was up, the other was down ; for the Secluded Members, who before would not have the Nation or themselves safe, unless they were an Undissolvable Parliament, now, to be revenged on the *Rump*, are content to meet only to do *Monk* some Journey-work, and then dissolve themselves.

The Secluded Members, after they were in, repeal their own Exclusion ; then vote *Monk* General of all the Forces in *England*, *Scotland*, and *Ireland* ; *Mountague*, Admiral of the Fleet ; set Sir *George Booth*, and those in Prison upon that account, at liberty ; and soon after sent *Lambert* in his room ; and grant a Tax for Payment of the Army, which now no Man disputed.

But *Monk's* Cares did not end here ; the Army without were more than fivefold to his within the City : he therefore sent Letters to all the other Regiments of the Armies in *England* and *Ireland*, To certify the Reason of the re-admission of the Secluded Members, that without it there was no way to satisfy the Nation, or raise Money to pay the Army ; and with large Assurances of their Constancy in their old Profession and Principles.

The Souldiers in general were glad to be out of their starving and wandring state, and therefore in shoals submitted to *Monk*, who yet would not receive them, unless they would swear to be true to this Parliament (as 'twas called) which he could but little trust to, they having so often forswore themselves before ; yet these at present serv'd his turn, and those who refus'd he cashier'd.

Now had horrible Dread overwhelm'd the *Rumpers*, especially the *Regicides* ; they saw themselves hated by almost all the Nation, yet at irreconcilable Variance one with another ; the Body of the Army which had raised them, turned now against them : they knew the Secluded Members had but a limited time to sit, and then to dissolve themselves to make room for another, which would certainly bring in the King, to their utter Destruction.

In this Consternation, *Lambert* escap'd out of the *Tower*, and Col. *Rich* refused to submit : *Lambert* posts to *Warwick*, where he met *Axtel*, *Okey*, *Cobbet*, *Creed*, and some other disbanded Officers, to whom many disbanded Soldiers joined, which made up a little Army.

Colonel *Streater* (a Confident of *Monk's*) from *Northampton*, gives *Monk* an Account of this ; whereupon the Council of State, settled by the Secluded Members, proclaim *Lambert* and all his Adherents Traitors ; and *Monk* sent Col. *Rich*. *Ingoldsby* (a Gentleman of more true Courage than 20 of these sniveling Fellows, who was before cashier'd for adhering to *Ric. Cromwel*, when the Officers depos'd him) with a strong Squadron of Horse, to join *Streater's* Foot, against them.

When these were joined, upon *Easter-day*, near *Darenty*, both Armies

Armies came within fight of one another; when *Lambert* made an Overture to *Ingoldsby* to restore *Ric. Cromwel*: but *Ingoldsby* knew this Game was lost, and that *Lambert* did not mean sincerely; and so they fought. *Ingoldsby* charged home, and *Lambert's* Men could not sustain the Shock, but fled; and *Ingoldsby* (it's said) took *Lambert* Prisoner with his own hands, *Lambert* crying, *Quarter, good my Lord* (for *Ingoldsby* was one of *Oliver's* Lords of the other House) *spare my Life*. With *Lambert*, *Cobbet* and *Creed* were taken Prisoners; *Okey* and *Axtel* escaped now, but could not escape a greater Punishment than befel *Lambert*, *Cobbet*, or *Creed*, for they were hang'd and quarter'd for having been *K. Charles's* Judges. Nor was *Rich's* Fate much better than *Lambert's*, for *Col. Ingoldsby* at *Bury* in *Suffolk* cashier'd him, it's said, at the Head of his Regiment, and disbanded it.

This was the End of that Invincible Army, subdu'd by not one 6th part of it self; for *Monk*, when he came from *Scotland*, had but 4 Regiments of Horse, and 6 of Foot, and (I believe) not 10 Men killed in their Defence; and not one in the Reduction of the invincible Armado. And now 'tis time to see what followed; the Secluded Members, with much ado, having dissolved themselves, upon *Mar. 17.* issued out Writs for another to meet, yet in the Name of the Keepers of the Liberties of the Commonwealth of England, upon *Apr. 25.* the Elections to be as they were before the Year 1640. The gazing World eagerly expected the Success of this wondrous Revolution.

If we look abroad, we shall see *Mazarine*, after *Cromwel's* Death, not foreseeing wherein the Confusions and Disorders in England would end, unless in the Restoring the King (which, by *Monsieur Bourdeaux*, the French Ambassador in England, he diligently used his utmost Endeavours to prevent) now sets up a Treaty of Peace with Spain, and to forward it, propounds a Marriage between the French King and the eldest Infanta of Spain; the younger was after married to the now Emperor *Leopold*, and the now King of Spain not born. This Treaty was called *The Pyrenean Treaty*.

But as this Treaty was made in deepest Diffimulation and Treachery, so were the Preparations to it; for at the same time (the War continuing between Spain and Portugal) the French King made an offensive League with Portugal for 10 Years, not to treat with Spain, unless the Portuguese were entirely satisfied in all their exorbitant Demands of Spain; in which 'twas agreed, That all the Harbours the Portuguese should take in Spain, either upon the one or other side of the Sea, shall be put into the Power of France: which you may read in the most excellent Treatise of the truly honourable and learned Statesman the Baron d'Isola, *Of the Buckler of State and Justice*, Chap. 1. And in regard there is so great a Connexion of the Pyrenean Treaty with that of the Life of King *Charles II.* we'll be more particular in it before we enter on the other.

The Baron, in the 2d Article or Chapt. says, the moving Cause of the

the Peace was, *The Desire of the Good, Quiet, and Ease of the Subjects of both Kings.* The Object was, *To put a period to so many Mischiefs; the Effect, To forget and extinguish all the Causes and Motives of the Wars past, and to establish a sincere, entire, and durable Peace between the Kings and their Successors.* For attaining these Ends, the Spaniard insisted that these Points were necessary, *viz. The Infanta's disclaiming all her Right and Title to the Kingdom of Spain, or any of its Dominions; that the French should not directly or indirectly assist the Portuguese in their War against Spain; and by the by, That the Prince of Conde should be restored to all the Estate and Governments he enjoyed before he joined with the Spaniard against Mazarine and his Faction; and that the Duke of Lorain should be restored to his Dutchy, with all the places which he had possess in the Bishopricks of Metz, Toul, and Verdun.*

The Articles of the Infanta's Renunciation were soon agreed to reciprocally, but that of abandoning the Portuguese stuck at present, the French having so lately made an *Offensive League* with the Prince Regent: And that the Treaty might be agreed without the French abandoning of Portugal, the French proffered the *Restitution of all the Places conquered from Spain during the War* (but promised more than they could perform, for Dunkirk and Mardike were not in their power) and also other Countries, and entirely to restore the Prince of Conde.

But without abandoning Portugal nothing was to be done, and so the French King did promise and oblige himself, upon his Honour, and in the Faith and Word of a King, for himself and his Successors, not to meddle any more in the Affair of Portugal; nor to give to it, either in general, or to any Person or Persons of it in particular, of what Estate, Dignity or Condition; at present or hereafter, any Aid or Assistance, publick or secret, directly or indirectly, of Men, Arms, Ammunition, Victuals, Ships, or Money, under any Pretext, nor of any thing that is or can be by Land or Sea, or any other fashion; nor permit any Levy to be made in any part of his Dominions; nor grant free Passage to those who shall come out of other Countries, which shall come to help the Realm of Portugal. And was signed by the King, Mazarine, Clergy and Nobility of France.

Towards the End of this Treaty, R. Charles II. about the End of November (the Differences between Monk and the Officers of the English Army being in the highest Ferment) came to it, that his Concerns might be concerted in it; he was received by Don Lewis de Haro (the Spanish Minister) with as much Honour and Veneration, as if posselt of all his Kingdoms, but negligently and slightly by Mazarine and the French Ministers: And sure the Indignity here offer'd to his Person, and the Industry of Bourdeaux at London, in endeavouring to keep him from being restor'd, would have made another not to forget these about 5 or 6 Months after. But if the King's Restoration came not from some other place, he might have waited long enough for it here; for France would not, and Spain could not assist him.

A
DETECTION
 OF THE
 Court and State of *England*,
 DURING THE
REIGN
 OF
K. CHARLES II, &c.

BOOK IV.

CHAP. I.

This Reign detected to the beginning of the first Dutch War.

AS the Nation thought they could not be redeemed from the Arbitrary Government of King Charles the first, but by the Long Parliament in 1640, so they thought they could not be redeemed from the Confusions, Rage and Distractions they labour'd now under, but by restoring King Charles the Second.

To gratify this Expectation, the Convention who met on the 25th of April 1660, Hand over Head, without any Preliminaries

of asserting the Rights and Liberties of the *English*, so manifestly violated by his Father and Grandfather, restored the King without any Contradiction.

Upon his Restoration there were but five of the Bishops living, viz. Dr. *Juxton*, Bishop of *London*; Dr. *Fruin*, Bishop of *Chester*; Dr. *Wren*, Bishop of *Ely*; Dr. *Warner*, Bishop of *Rocheſter*; and Dr. *King*, Bishop of *Chicheſter*: Theſe three latter lived to die in their Biſhopricks, and in the Interval between the beginning of the Long Parliament, and the Reſtoration of the King (near twenty Years) upon the matter, all theſe Leases of the Church were expired, whereby incredible Sums of Money were raised by the new-promoted Biſhops to their vacant Sees, without any regard to the reſt of the poor ſequeſtered Clergy, their Wives or Children: But the Jollity of the Convention for having got their King, put ſuch mean Thoughts out of their Conſideration.

The Hopes of the happy Days to come under this King's Reign, quite blotted out their Remembrance of the Days of his Father's and Grand-father's Reign: On the contrary, to flatter him, they ſtiled his Father, *The Martyr for the English Church and State*. Now they had got him they would hold him, he might do what he liſt for all them, and ſo he did; which the Nation ſubmitted to, rather than return to the Confuſions and Diſorders of the Times after his Father's Death: Nay, the Memory of theſe Times was ſo odious, that if even the Parliament took notice of his Actions, his Flatterers charged them with returning to the Parliament in 1640.

The Convention took terrible Vengeance on his Father's Judges; for tho they did not all ſuffer in their Perſons, ſcarce any of them but forfeited their Eſtates: So as theſe Men who would have his Father's Life, and Crown-Lands for their Eſtates, loſt their own Lives, and had their Eſtates added to the Revenues of the Crown: tho this was but as Water poured into a Sive, yet it's obſervable, that the Inſtruments who acted in the King's Death ſhould be thus puniſhed, and *Lenthal* the Speaker, who granted the Commiſſion to act, ſhould eſcape free.

The *Presbyterians* were ſcarce wet with the Tail of this Storm, none of them (except thoſe in ſequeſtered Livings) being puniſhed either in their Perſons or Fortunes; and many of them were preferred in high Places both in Church and State.

The poor Cavalier, or Loyal ſuffering Party, who hoped for a Heaven upon Earth in this King's Reign, fell into a worſe State than that they were in before: For as *Meſſeray* ſaid of the Reign of *Henry III. of France*, *It was the Reign of Favourites, wherein the Subject (it's ſaid) paid ſo much, yet never was any King ſo poor*: So it may be ſaid of this. And the Cavalier Party having before mortgaged their Eſtates to redeem their Sequeſtration, the Remainder

mainder paid the Taxes to the King, and the other Part the Interest to the Mortgage; nor were they any ways countenanced by the King.

For his Favourites were a Generation of People who knew not his Father, but who humoured him in his Sensual Pleasures and Prodigality; and were of the Female as well as Male Sex; who were a sort of Favourites his Father was not acquainted with, nor do I find he ever regarded the Memory of his Father; but that he industriously endeavour'd to have it believed, the Portraiture of his Father's Sufferings, a Book of late so much controverted, was none of his.

However, his Mother had a great Ascendant over him, so that she being a Daughter of *France*, inclin'd him to embrace the *French* Interest against his own: And she living near ten Years after his Restoration, so fixed this into a Habit in him, that in all his Life after he could never get rid of it, notwithstanding all the Provocations of the *French* King to the contrary. But it's time now to take a View of this King's Actions.

The Desires of the King to be restor'd were no less than those of the Nation, that he should, tho upon any Terms; for upon the Dissolution of the secluded Members, the King left *Brussels* (as you'll soon see he left *Spain*, who had harboured and relieved him in the time of his Exile, to join with *France*, who had expell'd him to join with *Oliver*, and by its Ambassador *Bourdeaux* at this time was using all its Endeavours to keep him out) and came to *Breda*, from whence he sent Letters by Sir *John Greenville* (after Earl of *Bath*) to *Monk*, *Mountague*, (after Earl of *Sandwich*) and the Mayor of *London*.

The *Presbyterians*, who thought to have had the same Power they had when the secluded Members dissolved themselves, were shrewdly mistaken, for the Body of the Commons were *Royalists*, who chose Sir *Harbottle Grimston* their Speaker, and upon the opening of the Convention, the *Royalist* Lords, double more than the *Presbyterians*, entred into the Lords House, which the *Presbyterians* complained of to *Monk*, who answer'd, *Now they were in, he had no Power to turn them out*; so the *Royalists* were double to the Factions in both Houses of this Convention, so as the King need not fear his Restoration.

Now half *England*, of all sorts (except the *Rumpers*) cross the Seas to *Breda*, to make their Bargains with the King before he should come into *England*: the King promises fair to all, which it may be was impossible to perform, which caused Murmur afterward: And the Convention after they had proclaimed him King by inherent Birth-right, sent him 50000 *l.* 10000 *l.* to the Duke of *Tork*, and 5000 *l.* to the Duke of *Glocester*; and the City of *London* sent the King and his Brothers 12000 *l.*

Upon

Upon the 11th of May, both Houses sent Commissioners to *Breda*, to invite the King to return, and Admiral *Mountague* with a Royal Fleet to convey him over, who upon the 25th landed him at *Dover*, where *Monk* met him upon his Knees, the King embracing him and kissing him, and next day at *Canterbury* created him Knight of the Garter, the Dukes of *York* and *Glocester* putting the George about his Neck.

'Twas rather a Madness than Jollity, all sorts of People expressed in the King's Passage from *Dover* to *White-hall*. The Nation was never so fine in Cloths, even the poor Cavaliers will be as fine as the best, tho they never live to pay their Tailors; nor shall the King take any care of them, his Favourites being of another Stamp than those who served his Father: Never were such Pageants, Triumphal Arches, and sumptuous Feasts seen in the City before; for which the poor Orphans Money in the Chamber of *London* must pay the greatest part.

When the King was restor'd, the Nation was in a Martial Posture, and the Manners of the People generally more severe and sober, than in his Father's and Grand-father's Reigns.

The first that made Court to the King were the *Dutch*, when he was at *Breda*, to enter into a League with them; but the King, by the Advice of Sir *Edward Hyde*, (it's said) wisely answered, That this would look as if 'twere done by Restraint, the King being in their Power; besides, he was not yet posses'd of his Kingdoms, nor had established his Privy-Council: Yet the *Dutch* were the first who caress'd him with a most rich and splendid Gilded Yatch, to prepare him for a Treaty after his Accession to his Crowns.

Nor were the rest of the Princes of *Europe* long after the *Dutch*, in congratulating the King's Restoration, the *French* King being one of the first. The *Spaniard* made not so much haste, yet hoped for a better Reception than the *French*; and that the King of *Spain* might have a better Reception, he sent the Prince de *Ligny* his Ambassador, who in the Splendor of his Train much outvied the *French*. It's true, the Prince got a Peace with the King for his Master the King of *Spain*, but he got as little good by it, as the King of *Spain* did by that he made with the King's Grand-father, King *James* the First.

With better Success came the *French* Ambassador, tho I do not find he made any League with the *French* against the *Spaniard*, as *Oliver* did; nor was there any need of it, the *French* having made a deceitful Peace with the *Spaniard* at the *Pyrenean Treaty*, yet you shall soon see both Kings dealt as ill with the King of *Spain*, as if he had been an open Enemy: And the more to endear himself with his Brother of *France*, the King rejected the advantageous Treaty of Commerce which *Oliver* made with *France*, as done by an Usurper, and never after (at least that I ever heard of) made
any

any other instead of it, but left his Subjects to be used even as the *French King* pleased in their Trades to *France*.

Henry the Seventh was the first of our *English Kings* who used Guards, and he set up the Yeomen of the Guard, which was followed by all the Kings of *England* since: but tho the Convention had paid off and disbanded the *English Armies*, yet the King besides his Band of Pensioners, in imitation of the *French*, must have Guards of Horse and Foot, and the Parliament gave him Revenue enough to encrease these to what Number he pleased: But it had been better for him if he had imitated the *French* too, in preferring Men who were qualified, but few of these were to be found there: And tho he gave near double the Pay to these, yet was he much worse served than if Men of Merit had been there for half the Pay; for scarce one of the Officers but bought their Places; and this was so common, that the Prices were certain; so not he who deserved, but he which gave most was preferred; and when he was in, he owed the King no Service, having paid for what he had; and so his Business was how to improve his Bargain, not serve the King. And herein too the poor Cavaliers had the worst, they not having so much Money to buy as others had.

I take it for granted, that the first League which the now *French King* made after he came to Majority (I mean after twenty one Years of Age) was that of the *Pyrenean Treaty*, the Breach of all the rest before we will lay to the Charge of Cardinal *Mazarine*: We will therefore see if the *French King* was not as little a Slave to his Word in this League, as *Mazarine* was in any before; and you'll see that in all the Leagues this King after made, he was as little a Slave to his Word as in this Treaty.

We have in the former Book set down particularly the Article whereby the *French King*, upon his Honour, and the Faith and Word of a King, did promise neither directly nor indirectly to assist *Portugal* against *Spain*; yet at the beginning of the Treaty they secretly conveyed Troops into *Portugal* in several Bodies: And when upon Complaint of the Marquess de la Fuente, they sent publick Orders to the Governours of their Ports, not to suffer any Souldiers to embark for *Portugal*, they did not abstain by Conivance under-hand to let them pass. Nay, when Marshal *Turenne* made publick Levies to assist *Portugal*, it being complained of by the Marquess de la Fuente, they answered, it was a particular Act of the Marshal, and the Court of *France* had no Hand in it. And also continually supplied *Portugal* with Corn, and all sorts of Ammunition: And *France* also fomented the Obstinacy of *Portugal* to continue the War, when *Spain* offered them advantageous Terms of Peace. This, and much more you may read in the second Article of *The Buckler of State and Justice*.

Nor did the *French King* stay here, but (being become the dearest Confident with his Brother of *England*) almost as soon as the King was settled, the *French* sent *Monsieur Courtin* to move the King not to abandon *Portugal*; nor did he yet stay here, but *Mazarine* dying much about the latter end of Summer, having a Stone in his Heart, (so the *French Pasquils* said) in September or beginning of *October* the Queen-Mother came over, seemingly to treat with her Son for a Marriage between *Monsieur of France*, and her fair Daughter *Henrietta Maria*, the King's beloved Sister: Yet it seems to me the Marriage of the King with the *Infanta of Portugal* was not less designed than that with *Monsieur*: And besides these, you will soon hear of something else which brought the Queen-Mother into *England*.

As the Designs of the Queen's coming over were dark, so I acknowledge I have not seen any of the Treaties or Transactions concerning them, but must take Measures by what followed, and so far as I had Light from what went before; yet in all of them it seems evident to me, that the Queen shewed her self to be more affectionate to her Daughter than Son, and to be more a Daughter of *France*, than Queen of *England*.

But before I proceed, it will be convenient to take notice of the deplorable State of *Spain*, which their Ambition in seeking so many Foreign Dominions, and a Tyrannical Government had brought it to: For before the Accession of their *American* Dominions which they acquired by unjust War, and unheard-of Cruelties in all the ten Years War between *Ferdinand* and *Isabella* with the *Moors* (who had seven hundred Years been possessed of the Kingdoms of *Granada*, *Murcia*, and a great part of *Andaluzia*) every Year the *Moors* and *Christians* brought near a hundred thousand Men into the Field to fight one with another; yet the Kingdoms of *Arragon*, *Navar* and *Portugal* were Neutral in all the War: Whereas now all the Kingdoms of *Spain* (except that of *Portugal*) were united under this King *Philip* the Fourth, yet our of them all he could not raise an Army to fight the *Portuguese*, but trusting to the *French* Faith in the *Pyrenean* Treaty, sent the Army in *Flanders* under the Command of the Marquess *Caracene* to do it.

The King imbraced the Overtures of both Marriages; and now the *French King* doubly, if not trebly, assured of his Brother of *England*, as well by the Treaties of these Marriages as by his Message by *Courtin*, no longer acts covertly in assisting the Prince Regent of *Portugal* against *Spain*, but bare-fac'd sent Marshal *Schomberg* with an Army and Fleet to their Assistance, yet this Army was not sufficient to make an Offensive War against *Spain*; but *Portugal* stood only upon the Defensive.

The

The Want of Money a little retarded the Marriage of the Princess with *Monfieur*; but this might be easily help'd, if the King would give up *Dunkirk* to the *French*, whereby he might pay 200000 *l.* for his Sister's Portion (which was more than his Father had with his Mother) and also receive 200000 *l.* more for himself. Nor was this all, he might save the Charges of maintaining a Garifon there; yet the Parliament in the Hereditary Excise, allowed him 60000 *l.* per Annum for the Support of it. I do not find this mentioned in the Body of the Act, yet several Members assured me, it was so intended in the passing the Act.

All this the King agreed to, and so *Dunkirk* and *Mardike* Fort were given up to the *French*, against all the Laws of *Humanity*, *Justice* and *Prudence*.

I say it was against all the Laws of *Humanity*; for the *Spaniard* entertained and relieved the King, when the *French* had expelled him, and joined with *Oliver* the Usurper of all his Dominions. It was against *Justice*; for the Sovereignty of *Dunkirk* was of Right and Justice the *Spaniards*. And against the Rules of *Policy* and *Prudence*; the *French* Nation being the Natural Enemies of the *English*, and the next Neighbour to it, and of all Nations the most formidable.

It had been happier for the poor *Spaniard*, and the *English* Nation, if the Unkindness of the King to the *Spaniard* had ended in his giving up *Dunkirk* to the *French*: but it ended not here; for the King employed the Army which should have kept *Dunkirk* against the *Spaniard* in *Portugal*; and with these and another Band of the disbanded *English* Army joined to them; the *French*, *Portuguese* and *English*, or rather the *English* without them, routed the whole united Army of the *Spaniard* at the Fight of *Elvos*: So as now the *French* had a new Inlet into *Flanders*, and the *Spaniard* no Army to defend it. This was a foul Blot in the *Spanish* Politics, by their King's trusting to the Faith of his Brethren of *England* and *France*. But this will not stay here, as hereafter you will see.

Here I take leave so well as I can, to vindicate the Memory of my Lord Chancellor *Hide*, from two Aspersions (as I conceive) cast upon him; one, That he was the Adviser of the giving up *Dunkirk* to the *French*: The other, That he was the Procurer of the King's Marriage with the *Infanta* of *Portugal*.

For the first, I was assured by a credible Person (tho a Confident of my Lord Chancellor's) that he was so far from advising the King to give up *Dunkirk* to the *French*, that only he and my Lord Treasurer *Southampton* (upon whose Honour my Lord Chancellor relied more than any other) of all the Council, entred their Protestations against it. The Truth of this may be resolved, by inspecting the Privy-Council's Books.

It's true, I cannot prove negatively, that my Lord Chancellor did not first propound the King's Marriage with the *Infanta of Portugal*; yet it seems to me reasonable he did not, for these Reasons.

I never heard of any Discourse of this Match, before the Arrival of the Queen-Mother in *England*; or if any were, it's probable that Monsieur *Courtin* had this in his Instructions, as well as that of moving the King not to abandon *Portugal*, for both these tend to the same end; and the *French King*, all his Reign after, fought to attain his Ends by Women, as well as other Ways: Nor can it be believed that the Prince of *Portugal*, now engaged in War against *Spain*, should pay the Queen's Portion 400000 *l.* I believe he did what he could, give up *Tangier* and *Bombay* to the King, which last Place he leased to the *East-India Company* for 10 *l. per Annum*, but the Money was paid by the *French King*.

Though the Factions had such ill Success with previous Swearing, which every one imposed upon the Nation when it was uppermost, and which no Man regarded when another succeeded; yet upon the Restoration of the King, the Oaths of Allegiance and Supremacy (which latter was only imposed upon certain Sorts of Men; and, as my Lord *Verulam* says, sinks deep into the Conscience, and was therefore interpreted by Queen *Elizabeth* in her Injunctions, which were after confirmed by Act of Parliament) were imposed upon all sorts of People, and the Refusers looked upon as Enemies to the King, and Favourers of the late Times.

And tho' the Convention sate but from the 25th of *April*, 1660, to the 29th of *December* following, yet by this time the outward Face of almost all the Nation was quite changed; the *Cavalier Party*, under the Persecution of the late times, lived quietly upon that part of their Estates which was permitted them after their Compositions, and the Governing Factions put on a Countenance of Godliness and Sobriety; whereas in the Jollity of the King's Restoration, all sorts of Men (even the Factions) endeavoured to imitate the profuse Prodigality and Luxury of the Court; which scarce entertained any but upon those Terms. To humour the King, the Publick Theaters were stuffed with most Obscene Actions and Interludes, and the more Obscene pleased the King the better; who graced the opening of them with his Presence, at the first Notice of a new Play.

In this State the Convention was dissolved, and a Parliament met the eighth of *May*, 1661. where that they might outvie the Convention in Loyalty, in the first Chapter they make Words to compass or imagine any Bodily Harm, Imprisonment, or Restraint upon the Body of the King, or to Depose him, or levy War against him, to be High-Treason: And if any shall any ways affirm the King to be a *Heretick* or *Papist*, shall be incapacitated to hold any

any Ecclesiastical, Civil or Military Employment: And that it shall be a *Premunure* in any to say, The Long Parliament begun in November 1640 is not dissolved; or that there lies any Obligation upon any one from any Oath to endeavour a Change of Government either in Church or State; or that one or both Houses of Parliament have a Legislative Power: and declare the Oath, commonly called *The Solemn League and Covenant*, to be an unlawful Oath, and imposed upon the Subject against the Fundamental Laws and Constitutions of the Nation: And Chap. 5. declare against Tumultuary petitioning the King or Parliament: And Chap. 6. declare the sole Right of the Militia to be in the King. This Parliament, upon the thirtieth of July, was adjourned to the twentieth of November.

This being but an Adjournment, and so the Act of the Houses, (for as yet the King did not exercise his Prerogative of Proroguing them, which hereafter you will see him very prodigal of) I do not find that this Adjournment was made, that the King might better proceed in his Bargain and Sale of *Dunkirk* to the French. Yet I do say that before the Parliament met, it was (as I remember in September) that the Bargain and Sale was perfected, and *Dunkirk* put into the Power of the French.

But neither the Sale of *Dunkirk* without, nor the keeping up a standing Army within (called the King's Guards) after it was disbanded and paid off by the Convention, nor the King's Manner of Life, could any ways abate the Loyalty of this Parliament to the King; and keep him they would whatever came of it: And to all the Provisions for Security of his Person and Power, they will add that to keep him in, which the *King* in its last Breath did to keep him out, viz. To swear to keep him out. And therefore the Parliament, Chap. 2. made the Corporation-Oath to be taken by all the Members of Corporations, viz. *I A.B. do declare and believe, that it is not Lawful, upon any Pretence whatsoever, to take Arms against the King: And that I do abhor that Traiterous Position of taking Arms by his Authority against his Person, or against those who are commissioned by him: So help me God.* This I think is one of the first Laws that ever was made, to swear to Opinions and Belief: And sure if Swearing would determine Controversies and Beliefs, all Learning, Reasoning and Instruction would be at an end; and he that swears most is the best Logician, and the Godliest Man. We will therefore consider the Nature of an Oath, and those who are to take this Oath.

If we consider Man, and other Sensitive Creatures in their Creation and Generation, they were all passive, and they were created and generated without any Act of their own Will, or the Counsel or Concurrence of any Creature, but of a Divine and Omnipotent Power; and by a Providence and Prescience not less wise and

and good, than the Power was Omnipotent; they had Food, and other Means for their Continuance in this World provided before they were created or generated.

But though God, without the Act of the Will of any Creature, did make Man and other Sensitive Creatures, by an inimitable Power, which he communicated to no Creature; and by an unscrutable Wisdom and Goodness did provide for them before they were made or generated; yet did he not in vain make them Organical Bodies, endued with Life, Sense and Motion; so that after they were made, they might seek food which God had before provided for them, and preserve themselves from other Creatures which might be hurtful to them.

As Senſation is naturally common to Man, and other Sensitive Creatures, ſo are the Paſſions of Love, Fear, Hatred and Deſire; viz. Love of thoſe things which conduce to their Welfare and Preſervation; Fear of thoſe things which are hurtful to them, accompanied with an Hatred of them; and a Deſire of generating their Like in other Bodies.

Besides theſe Attributes common to other Creatures, God endued Man with an Intellectual and Reaſonable Soul, which is proper to Man, excluſive to other Creatures; and made all things in this our Habitable World for the Uſe of Man, and therefore created Man for a Nobler End than can be found in this World, viz. capable of Eternal Happineſs in a better.

But though God made all things in this World for the Uſe of Man, yet few things are uſeful to Man, but as they are made ſo by Humane Labour, Induſtry and Art; yet no Art or Science in Man is innate or connatural, or comes to paſs by Inſpiration, Fate, or Chance, but by Education, Learning and Experience: We do not read that God ever made a Houſe, Cloth, a Ship, &c. without Man; whereas Nature of her own Accord has provided Food and all things neceſſary for other Creatures, without any Act or Care of theirs: Thus Nature clothed Sheep and Beaſts with Wool and Hair; Fowls with Feathers, and Fiſh with Scales: And tho Fowls make their Neſts, and Conies and Badgers Berries, yet they do theſe by an inſite connatural Power, not learned or taught by any Creature.

Other Creatures live free and independent upon one another, except the young ones of ſome Creatures, while they can ſeek their Food and Preſervation; and are either Solivagous and Hurtful, as Foxes, Wolves and Tigers, &c. or live promiſcuouſly in Herds and Flocks, and are innocent Creatures, as Sheep, Goats, &c. whereas Men live in Dependency one upon another, ſo as no Man can ſubſiſt of himſelf; but depends upon another for things which conduce to their Welfare and Preſervation; and are neither Solivagous, nor live promiſcuouſly in Flocks and Herds, but in Society

Society and Conversation ; and keep Company by Election or Choice, as they stand in need of other Men, either for their Necessity, Convenience or Pleasure : and Men are distinguished from other Men by their Manners and Conversation, so as it becomes Scandalous to keep Company with Debauched and Vicious Men.

As other Creatures live free and independent upon one another, so have they all things which Nature had provided for them in common ; whereas Man lives upon those things wherein he has Property exclusive to other Men : So that it is wicked and unjust for any Man who has no Property in a thing, without the Consent of him who has Property in it, to take it from him.

In this State of Society, out of which no Man lives, God did not endue Man with Understanding and Reason in vain : for whereas other Creatures pursue their Actions, being excited by the Passions of Love, Fear, Hatred and Desire ; yet Man depresses these, and governs his Actions by Understanding and Reason, so that Humane Society may be preserved.

Speech and Letters are necessary in Humane Society and Conversation ; which wise Nature (which never acts in vain) hath denied other Sensitive Creatures, which govern their Actions by Sense, and their Passions, these having no need of them. Speech is the Mean or Instrument by which Men converse to the Hearing of one another ; and Letters to the Sight : Other Creatures hear the Sound of Speech, and can see Letters, but do not understand the Power of the Words, or Construction of them.

Man is born the most impotent of all other Creatures, being naked and unarmed, yet can neither clothe nor defend himself without the Help of another ; he has nothing to feed himself with but what he has from another ; yet if he takes any thing from another, without the Consent of that other, it will be Wickedness and Theft : He is obliged to live uprightly and justly with other Men ; yet understands not how to live uprightly and justly, but as he is instructed by Education, Learning and Experience ; he is obliged to speak and write in Truth, but neither Speech nor Letters are Infite or Connatural, but acquired by Instruction and Learning from others.

All Humane Learning, Reasoning and Instruction in Religion, Morality, and in every Art and Science, is begotten from the Powers which God had before implanted in the Learner, and from the Principles which were before understood by him : so that if a Man be born blind, it will be in vain to instruct him how to be a Painter ; or if Dumb, to be a Musician or Orator ; or if he be not *Compos Mentis*, so as to understand the Principles from which he is to be instructed, Instruction will be as vain to him, as to teach a Dumb Man to be an Orator, or a blind Man a Painter : So that it

is from those Powers which God has implanted in Man, without the Will of Man, that Man becomes capable of being instructed by Man; and therefore Man is obliged to give God all Honour and Praise before any other, that he endued him, without the Help of any other, with an Intellectual and Reasonable Soul, capable of Instruction.

The End of all Learning, Reasoning and Instruction, is how from Premises or Principles, which a Man before understood as an Intellectual Creature, to govern his Intentions, Speech and Actions from them in time to come rationally: So that as the Understanding is of the Causes of things and Actions which were before; so Reason is of the Consequences of Speech and Actions in time to come. The Understanding is from the Act and Power of God, but Reason is from the Act or Power in Man. So that though a Man may instruct another, who hath a competent Understanding, how to act Rationally in Consequence, yet no Man can instruct another who is a Fool or Madman, how to understand Principles from which he is to be instructed, so as to judge and act rationally.

As every Learner is presumed to understand the Principles from which he is to be instructed, so the Principles are assumed, not proved, and are to be without Question or Dispute: For if the Question of any rational Proposition be but probable or uncertain, the Conclusion or Consequence, will be less probable and more uncertain.

For the better understanding an Oath, it will be very requisite to distinguish between Understanding and Knowledge; for Man understands Intelligible Beings, as God, the Soul, a Law, Religion, Justice, &c. which can never be the Objects of Sense, but may be said to know what he understands, sensibly, *viz.* of things and Actions which are perceived by Sense; as a Man, a Horse, a Tree, may be perceived by other Sensitive Creatures: But that these do exist, is intelligible. So it is that Man is an Intellectual and Reasonable Creature; and that God has made all sensible things in the World for the Use of Man, &c. and these can never be the Objects of Sense.

As Man excels all other Creatures as he is an intellectual and reasonable Creature, whereby he honours God, is helpful to other Men, and preserves Peace in Society; so on the contrary, Man above all other Creatures abounds in Pride, Ambition, Arrogance, Malice, Revenge, Covetousness, and unlawful Lust, whereby God becomes dishonoured, and the Peace of Humane Society disturbed; so as it is necessary in all Kingdoms and Countries, that these be restrained and punished by Civil and Coercive Laws.

Laws are twofold, Divine and Humane; Divine Laws are twofold, *viz.* Natural, and Supernatural revealed in the sacred Scriptures,

tures : Natural, which are presumed to be alike engraven on the Mind of Man : Supernatural are those which Man obeys by God's special Favour and Grace. Natural Laws are Affirmative and Negative ; Affirmative, That Man honour God above all Creatures, and that he converse truly and uprightly with Man : Negative, That he do not blaspheme or dishonour God, nor wrong, or deal falsely or deceitfully with another, neither in his Intentions, Speech nor Actions : so that Civil Laws do not forbid Blasphemy, or Immoral Speech and Actions, but indifferently in divers Countries and Places punish them.

I say the Law of Nature is alike implanted in all Intelligible Creatures ; for where there is no Law, there is no Transgression nor Omission : And therefore if all Men did not understand that Blasphemy, and Immoral Speech and Actions were wicked, it would be Tyranny to punish them : So as Humane Judgment and Justice are necessary for Preservation of Humane Society ; and the End of Humane Judgment and Justice, is, as well to restore them to Right who suffer Wrongfully, as to punish Wrong-doers.

It's fit here to distinguish between Knowledge and Belief ; Knowledge is immediate of those things and Actions which fall under the Sense of Man, and therefore not learned or taught, but alike understood by all Men : And Verity and true Speech is what a Man knows ; whereas Belief is a Reliance upon what another says to be true.

In all Legal Judgment upon which Justice is executed, Judges in Civil Affairs assume two Premises, which are to be without Question or Dispute, *viz.* some foreknown Law, and some Speech or Act done ; so that if the Law and Fact be but probable or uncertain, the Judgment will be less probable and more uncertain : But in giving Judgment, Judges do not swear to their Opinions, but make some Laws to be their Reasons of them.

A Promise is twofold, Affirmative and Negative, and is of time to come, and is a Respector of Persons. An Affirmative Promise, is a Speech or Writing, wherein one or more assure another or more, upon their Truth or Faith to do such an Act, in his or their Power, in some certain Time and Place ; or to be serviceable to another or more, for some time, or during Life, as they shall be able : a Negative Promise is when one or more, upon their Truth or Faith, assure another, not to do such an Act ; and if the Parties mutually promise, this is a Contract.

A Promissory Oath, is when one or more affix God's Name (which implies an Imprecation of God's Judgment upon them) that they will do or not do, what they promise : But sure Men who give Promissory Oaths, ought to be well assured they can do what they promise ; and ought (considering the Frailty of Humane Nature, and the infinite intervening Accidents which they

annot foresee, or if they could, could not prevent) to implore God's Assistance to enable them to perform their Promise. And I do say, and verily believe, that of all Men, those who soonest make Promissory Oaths, do most break them; and that Men who are so forward to make these Promissory Oaths by them, cover their Designs of deceiving the other, more than of performing their Promise.

An Oath is so sacred, that as God will not have Divine Adoration, or Worship, to be given to any other but himself, so neither will he have an Oath to be taken by any other Name; not by the Sun, Moon, Earth, or all the Host of Heaven. And if he will not hold him Guiltless who takes his Name in vain, how will he hold him Guiltless who swears in vain? Thereby not only lessening the Veneration due to his Name, but designing by it to deceive another.

In all my Observations, I never knew any Man, who made no Conscience of Swearing, or taking God's Name in vain, but made less in taking care to perform his Promises: And when I hear a Man begin with Swearing, (not duly called unto it) I suspect he has either some Design in it, or that thereby he would create a Belief to that which is not true.

But how Legally or Illegally soever these Promissory Oaths are imposed, I never heard of any who was prosecuted for Perjury upon them, except Mr. Long, Sheriff of Wilts, prosecuted in the *Star-Chamber*, for that he had sworn (as all Sheriffs do) not to go out of the County without leave from the King; yet being chosen a Parliament-Man, 3 Car. 1. came to serve in Parliament, for which he pleaded the King's Writ, which was Leave from the King; and the Earl of Argyle, about the Interpretation of the unintelligible *Scotish Test*. And I dare say, That if the *Oath of Allegiance* to the King were but once taken, it would be held in greater Veneration than by often taking it upon these Premises. Let's see whether the Corporation-Oath be an Assertory, or Promissory Oath, or neither: And in regard it is in two Parts, consider both. The first is,

I A.B. do declare and believe, That it is not lawful upon any Pretence whatsoever, to take up Arms against the King.

This Part of the Oath is not Promissory, and so an Assertory Negative Oath: Here I will not dispute whether there can be a Negative Assertory Oath; yet I do say such an Oath can never extend farther than to him who swears he does not know what he is required to swear: But he can never swear that another does not know it. So tho a Man may believe it's not Lawful for a Man to take Arms against the King upon any Pretence whatsoever, yet he can never extend it further than himself. But

BUT I say this sort of Swearing destroys the Religion and End of an Affertory Oath, which is only to what a Man knows certainly to be true; but no Man certainly knows that an Opinion or Belief is certainly true: But tho by some apparent Reason, or the Authority of another, I may be of an Opinion, or Belief, yet upon clearer Reason and better Authority, I may alter my Opinion and Belief, which a previous Affertory Oath can never oblige me to. In Justice therefore an Affertory Oath, That I Believe, or am of Opinion, is not admitted, unless he that testifies swears the Ground or Cause of his Belief or Opinion to be certain and true of his own Knowledge.

I desire to know what were the Grounds or Reasons of this Corporation-Oath, which every one ought to swear to be true of his own certain Knowledge, before he *believe it not to be lawful upon any Pretence whatsoever to take up Arms against the King.* Or, admit there might be Reason for this Belief, yet if the Causes of this Belief were not before known to the Taker of this Oath, so as the Taker knows them to be true of his certain Knowledge, this Oath, if any, is Perjury.

The other Part of this Oath is, *And I do abhor that Traiterous Position of taking Arms by his (the King's) Authority against his Person, or against those who are commissioned by him. So help me God.*

So that from swearing Negatively to Belief in the first part of this Oath, we come to swear Affirmatively in this part of it: But this part not being Promissory of Time to come, is an Affertory Oath too, if any, besides the taking God's Name in vain, or worse.

An Affertory Oath is of what a Man knows to be certainly true, and what was immediately the Object of Sense. Here a Man swears not that he knows, but abhors: And what does he abhor? *That Traiterous Position of taking Arms by the King's Authority against his Person, or those commissioned by him.* Is Traiterous Position the Object of Sense, and immediate, so as the Swearer knows what the meaning of Traiterous Position is? Which I believe not one of twenty does: Or is not some Inference deduced from some Law or Usage, which cannot be the Object of Sense, and so not to be sworn to?

The End of an Affertory Oath, is to inform the Judge and Jury, so that Justice may be determined by it: but here is neither Judge nor Jury to inform: What can be the end of this Swearing? Why, 'tis because otherwise the Swearer cannot be a Member of the Corporation; but if I cannot take his Word, I'll not take his Oath: And he that swears most to get Places, is least worthy of them. And I dare say he so much less understands his Duty in any Place, by how much the more he is ready to swear to get in to it: And you will see that those Men who are so ready to swear

by this Oath which they did not understand, to get to be Members of Corporations, shall be more ready to forswear themselves in giving up their Charters, which they had sworn to maintain and keep, and which they understood they ought to do.

Religion, Piety, Judgment, Justice and Righteousness, are the ways by which God is honoured, and Peace and Happiness established in Nations and Kingdoms: And will God instead of these, suffer his Sacred Name to be prostituted by vain Swearing, so as to pass unpunished? Did not the Prophet *Hosea*, Ch. 4. v. 3. of old complain, That the Land mourned because of Oaths? And hath not our Land mourned ever since the Convocation, after the Dissolution of the Short Parliament 1640, did enjoin the Oath, *I A. B. swear that I approve the Doctrine and Discipline of the Church of England, as containing all things necessary to Salvation, and will not consent to alter the Government in the Church, by Arch-bishops, Bishops, Deans and Arch-Deacons, &c.* to be taken by all the Clergy? Was God well pleased that his Sacred Name should be affixed to such Stuff? Or did this establish this Hierarchy? Did not the Parliament about a Year after expel the Bishops out of the Lords House, and imprisoned their Persons, and made them and all Deans and Arch-Deacons incapable of Temporal Jurisdiction? And did not *England* and *Scotland* about two Years after join in a Covenant, and swear to extirpate Arch-bishops, Bishops, Deans, and Arch-Deacons? Did not the Engagement expel the Covenant, and the Recognition to *Oliver* out the Engagement, till Men neither regarded what they had sworn, nor cared what they swore to? *Monk* before he came out of *Scotland*, caused the *Scots* to abjure the King and his Interest: So in his coming to *London*, he did by the Officers of the *Irish Brigade*, and the *Rump* died abjuring the King and Royal Family; yet in less than four Months after the King was restor'd.

Before the *Scots* would admit the King to land in *Scotland*, the 23d of *June* 1650, they made him, with his Hands lifted up, swear in the Presence of Almighty God, the Searcher of all Hearts, his Allowance and Approbation of the *National Covenant*, and *Solemn League and Covenant*, and Directories of Worship; and not only to give his Royal Assent to Acts of Parliament enjoining the same in all his Dominions, but to observe them in his private Family: And upon his Coronation on the 11th of *January* 1651, repeated the same Oath. Yet how little did this avail him, or the Covenanters? for in less than eight Months *Cromwel* drove him and his Covenanters quite out of *Scotland*. And I dare say, the King never after made use of them in his private Family, nor ever after give his Assent to any Act of Parliament enjoining the Covenants, tho he were restored to all his Dominions.

From swearing the Corporation-Oath, the Parliament proceeds, That all Members of Corporations declare against the *Solemn League and Covenant*, in these words, *I A. B. do declare, That I hold there lies no Obligation upon me, or any other Person, from the Oath commonly called the Solemn League and Covenant, and that the same was in it self an unlawful Oath, and imposed upon the Subjects of this Realm against the known Laws and Liberties of the Kingdom.*

This Declaration is as vain, and more wild than the Corporation-Oath; for 'tis but matter of Belief or Opinion, and so no Issue can be taken upon it: but if there could in him who declares, yet none can be taken upon that part which declares there lies no Obligation upon another; and I'll put it upon this Issue, that such a Declaration was never before enjoin'd by any Law.

And if the Covenant be an unlawful Oath in it self, because imposed by no lawful Authority, yet I say that no Authority under Heaven can make the taking God's Name in vain lawful, much less to take a vain or superfluous Oath.

From new invented swearing, and declaring to keep the King in the Kingdom, the Church makes many new invented Prayers for him, especially that for the Parliament, wherein they tell God that the King is their most Religious and Gracious King; as if he were so, and God did not know it; and if he were not so, to persuade God he was so.

De Jove quid sentis? Will God be mock'd? Is not he Omniscent, and knows the Secrets of every Man's Heart? Has he any need to be informed what Man is? Or did this King's manner of Life induce the Church to inform God that he was most Gracious, or full of Grace? Or his devout Behaviour at his seldom Presence in Divine Service, declare him to be most Religious? This King's Father and Grand-father's Flatterers went no higher than to flatter them, that they were bound by no Laws, and accountable to none but God for all their Actions, and that their Subjects were bound to obey them in all, under Penalty of Damnation: They never went about to persuade God they were most Religious and Gracious in so doing.

The Parliament chimed in with the Church, and by the *Act of Uniformity*, enjoin, That every one who holds an Ecclesiastical Promotion, shall publickly declare before his Congregation his unfeigned Assent and Consent to every thing contained and prescribed in the Book, entituled, *The Book of Common-Prayer*, &c. Put these together: *I A. B. do declare my unfeigned Assent and Consent, That the King (Charles II.) is my most Religious and Gracious King: If he be so, how came you to know it? And if you do not know it, how came you so unfeignedly to assent and consent that he is so? But tho to get your Living you tell the Congregation so, when you do not know it; I think it's dreadful*

for you to tell God Almighty he is so, if you be not very well assured he is so. But you'll soon see what Care this King took of the Church of *England*, which took such Care for him.

Was God well pleased with these things? You shall soon see unjust Wars and dishonourable Peace: Such Judgments of Plague, Fire and Invasion into our Ports, as never before were heard of: And tho God's Judgments were in the Land, the People did not learn Righteousness, but continued a divided and factious Nation, and a People laden with Iniquity: The Honour of the Nation not only lost abroad, but a joining with a neighbouring Faithless, Boundless and Ambitious Prince, to the endangering the Subversion of the Religion, Constitutions and Liberties of the *English* Nation. Now let's see what is doing in *Scotland*.

If a Man reads *Buchanan's* and *Drummond's* History of *Scotland*, they will better judg of General *Monk's* prudent Government and Conduct in it for eight Years together: For from the Contest between *Bruce* and *Balliol*, for the Succession to the Crown of *Scotland*, about the Year 1280, till *James VI.* came to the Crown of *England*, I scarce find five Years Peace together in any of the Reigns between: And if for some time the *Scots* were freed from open War, yet scarce at any time were they freed from Feuds among the Nobility, or the Nobility at Discord and Variance with their Kings.

After the Reformation of Religion in *Scotland*, which began in the first Year of Queen *Elizabeth*, by her assisting the Nobility with an Army by Land, and a Fleet by Sea, whereby the *French* sent by *Henry* the Second of *France*, (Father of *Francis* the Dauphin, who had married *Mary* the *Scottish* Queen) to subdue *Scotland* to a Conformity to the *Romish* Church, were outed; the Kirk of *Scotland* set up a Jurisdiction as independent from the Civil as the *Romish* was, and held it up during the Reign of *Mary*; and after they had expelled her, and chosen her Son *James* King (about fourteen Months old) in the Regency of *Murrey*, they got their Church-Discipline established by Act of Parliament: This was in the Year 1567.

The Kirk being possess'd of this Power during the Minority of King *James*, and several of the Nobility having got a great share of the Crown-Lands of *Scotland*, the King upon his Majority was so poor, that he was not in a Condition to keep up the State of a King, much less to curb the Insolence of the Kirk, the Nobility who had got the Crown-Lands joining with them.

Tho Queen *Elizabeth* did not love the Kirk-Party, yet was she content to have *Scotland* in this State; for thereby she preserv'd the *English* Borders free from the Depredations which the *Scots* usually made upon them, and therefore secretly countenanced both the King and Nobility, who had got the Crown-Lands; How-

ever

ever she allowed the King a Pension yearly, whereby she kept the King, as well as Kirk and Nobility, depending upon her.

In this State *England* and *Scotland* stood till the Death of Queen *Elizabeth*; but it was ill timed of King *Charles I.* to grant Commissions to enquire into the Crown-Lands usurped in his Father's Minority, and soon after to endeavour to set up *Laud's* Injunctions, and High-Commission in *Scotland*, which made the Nobility as well as Kirk so fierce in opposing them.

King *Charles*, offended at the Proceedings of the Parliament of *England* in 1641, goes into *Scotland*, and establishes the Kirk in all their Pretensions, and disclaims all Title to the Crown-Lands usurped in his Father's Minority, which no ways mollified either: But next Year the *Scots* sent an Army under *Lesley* (made an Earl by the King) against him in Aid of the *English* Parliament: But tho the Kirk and Nobility were thus insolent against their Kings, they patiently submitted to *Monk* during his Government in *Scotland*, except some few Disturbances made by General *Middleton*.

For neither *Cromwel* nor the *Rump* before him, trusted to the *Scottish* Oaths, or *Solemn League and Covenant*, but after they had subdued them, bridled them with Forts built upon the principal Passages of *Scotland*, and disarm'd all the Nobility and Gentry, and thereby kept them in Peace, which King *Charles* by all the Condescensions he submitted to, could not procure. Add hereto, that the common sort of *Scots* lived in more Freedom under *Monk*, than under their Lords and Lairds; so that neither the Kirk or Nobility could form the Body of an Army against the *English*.

Before the King was restor'd, the Army which would have kept him out was dissipated the Year before by *Monk*, and after his Restoration was disbanded, and so the *English* Nation was restored to its former Government: But it was not so in *Scotland*, for not only the Forts which bridled them, but the Army which conquer'd them, was still kept up. Nor had the *Scots* any hopes of being freed from these Fetters, but by an intire Submission to the King.

Upon the King's Restoration, many Debates were in the Council in *England*, about the calling a Parliament in *Scotland*, and the demolishing the Forts for keeping the *Scots* in Subjection; but neither were so easily determined, for in all *Scotland* after *Montross* was butcher'd, I do not find there was one of the Nobility, except his Son, which were not *Popish* or *Presbyterian*; and the *Presbyterian* Party had been so rigid against the King when he was in *Scotland*, and intolerable to his Father, that above a Year past before any Resolution was taken in either.

Lauderdale, as before said, was taken Prisoner after the Fight at *Worcester*, and from that time kept Prisoner in *Windfor-Castle*, from whence he was set free upon the King's Restoration, but became

so poor, that it's said he could not meet the King, for want of Money to pay for a Pair of Boots.

This Imprisonment was doubly happy to him: for during the Restraint of his Body, he enlarged the Faculties of his Mind; and being a Man of Parts, improved them by Contemplation and Study, wherein he met with more Helps than it may be he could have found in *Scotland*; whereby he became of greater Abilities to serve the King, than could be found in any other of his Countrymen; and being in *England*, found better Opportunities to have them known to the King, than any of his absent Countrymen could.

In the late Wars between the King and Parliament, he, with Sir *John Cheesley*, were ordered Commissioners by the Kirk-Faction to the Parliament in *England*, for propagating the *Presbyterian* Government: But this being most detestable at Court, *Lauderdale* to raise himself, set himself with all his Skill to oppose it; and by it, at first, got to be made Principal Secretary of State of *Scotland*: and as *Runnagadoes* from Christianity, become the greatest Persecutors of Christians, so was *Lauderdale* of the Kirk and *Presbyterian* Government. However, *Lauderdale* seemed zealous for calling a Parliament in *Scotland*, and demolishing the Forts that bridled the *Scots*, which *Monk* opposed: and hereby *Lauderdale* became popular in *Scotland*; so that all Applications to the King from thence was by *Lauderdale*.

In this state it was not easily determined who should be Commissioner in *Scotland*, in case a Parliament should be called; for Affairs were not yet ripe enough to make a Popish one, nor would the Court trust a *Presbyterian* one: and *Lauderdale* would not forsake his Post at Court, where he govern'd all, but continue in that all the Motions in Parliament might receive their Life from him. At last it was agreed, That *Middleton* (who first served the Kirk against King *Charles I.* and after changing Sides, made some Bustle in *Scotland*, after the King left it) should be created an Earl, and made Commissioner, and a Parliament should be called in *Scotland*.

The Nobility and Gentry of *Scotland*, clearly saw there was no other way to redeem *Scotland* from being a conquered Nation, and a Province to *England*, but by an entire Submission to the King. *Lauderdale* knew this as well as they, and therefore resolved to make them pay dear for their Deliverance; and now you shall see the Nobility and Gentry, which with the Kirk united against King *Charles I.* divide under his Son, and sacrifice the Kirk and all their Discipline, to make an Atonement for themselves. The first Act which was shewed herein, was upon this Occasion.

The fiery Zeal of the Kirk-men burnt up all Rules of Prudence, or the Consideration of the present State of *Scotland*; so that even

in this state, Crowns and Scepters must submit to the Kirk. And that the King might know his Duty, a Company of them met together, and drew up a Supplication (as they said) but in nature of a Remonstrance to the King, setting forth the Calamities they groaned under in the Time of the Usurpers, by their impious Inroachments upon the Kingdom of Jesus Christ, and the Liberties thereof; which of themselves they were not able to suppress and overcome: and the Danger of the Popish and Prelatical Party now beginning again to lift up their Head, they press him to mind his Oaths and Covenant with God, &c.

The Committee of Estates well knowing how ungrateful this would be to the King, upon the 23d of August 1660. sent a Party and apprehended these Men, whereof one Mr. James Guthry was the chief, (of whom you'll hear more hereafter) and committed them Prisoners to *Edinburgh-Castle*, and from thence Guthry was sent Prisoner to *Dundee*, for treasonable and seditious reflecting on his Majesty, and on the Government of *England*, and the Constitution of the Committee of State, and tending to raise new Tumults, and kindling a new Civil War among his Majesty's good Subjects.

This was the first Spark, which soon burnt into such a Flame, as totally consumed the whole Kirk-Party in *Scotland*, and left them in a much worse plight than before, when they suffered under the Usurpation (as they called it) of the *English*.

For during the late Usurpations, the Kirk enjoyed a Liberty of Conscience: but it's the Nature of some Men, that unless they may persecute other Men, they'll exclaim they are persecuted themselves; and therefore (since they were not able to do it themselves) they minded the King of his Covenant with God, to extirpate Heresy, Schism, and Profaneness, and to remove the stumbling which the King had given them, in admitting Prelacy, Ceremonies, and Service-Book in the King's Chappel, and other Places of his Dominions.

But these Men were mistaken in their Measures; for after the King was expelled from *Scotland* by *Cromwel*, he little (I may say never) observed the Directory of Worship, Confession of Faith, and Catechisms in his Family, according to the *National* and *Solemn League and Covenant*, as he repeated in his Coronation-Oath, and less the establishing *Presbyterian Government* in *England* and *Ireland*, and least of all in *Scotland*.

For one of the first Acts of the first Sessions, was an Anniversary Thanksgiving, to be observed on every May 29, with this Proem.

The States of the Parliament of the Kingdom of Scotland, taking into their Consideration, the sad Condition, Slavery and Bondage, this antient Kingdom has groaned under these twenty three Years (the time when the Troubles arose in K. Charles the First's Reign) in which, under very specious Pretences of Reformation, a publick Rebellion

tion has been, by the Treachery of some, and Misperwasion of others, violently carried on against sacred Authority, to the Ruin and Destruction, so far as was possible, of Religion, this King's Majesty, and his Royal Government, the Laws, Liberties, and Property of the People, and all the publick and private Interests of the Kingdom; so that Religion it self hath been prostituted for the Warrant of all these treasonable Invasions made upon the Royal Authority, and disloyal Limitations upon the Allegiance of the Subjects: Therefore upon the 29th of May be set apart for an Holy Day, &c. Yet soon after the King's Restoration, he wrote to the Presbytery of Edinburgh, promising to countenance the Church as by Law established: But Lauderdale knew his Mind better.

Here it's observable, That in 1638, when the Kirk were so zealous, with lifted-up Hands in the Presence of the Eternal God, to swear to establish their *National Covenant*, there was not one of the Nobility (but the *Papish*) except the Marquess of *Hamilton*, and the Earl of *Traquair*, but joined with the Kirk, expressly against the King's Command: *Traquair*, the Kirk-Party proceeded against as an Incendiary; and after, *Hamilton* secretly joined with the Covenanters, for which King *Charles I.* made him Prisoner in *Pendennis-Castle*; from whence he was discharged when *Fairfax* had it surrender'd: And not one of the Nobility (except *Argile* and *Cassels*) but declare this, and all the Kirk-Proceedings since, Treasonable Rebellion against the Laws, Liberties, and Property of the People, and Prostitution of Religion; and this Declaration was celebrated with a double Sacrifice, the Marquess of *Argile* being executed as a Traitor, for holding Correspondence with *Cromwel*, and his Head set where *Montross's* stood on the *Monday* before; and Mr. *Guthry*, on *Saturday* after, for refusing to own the Jurisdiction of the Judges in Ecclesiastical Affairs, had his Head set upon one of the Ports of *Edinburgh*.

This was a sad Prefage to the Kirk of what followed: For as they, without the King, would impose their *Solemn League and Covenant* upon *England*; now, by the King and Parliament, an Oath of Allegiance (in the very Nature, if not the Words, of the Oath of Supremacy in *England*) is imposed upon them; wherein they are to swear, That the King is the supreme Governour over all Persons, and in all Causes, &c. and, That they will maintain, defend, and assist his Majesty's Jurisdiction aforesaid, against all deadly Enemies; and shall never decline his Majesty's Power and Jurisdiction, as they shall answer it to God. And all Persons who refuse to take this Oath, to be incapable of any publick Trust, and to be look'd upon as Persons disaffected to his Majesty's Authority and Government.

And the 11th Act of the first Session says, That it is the inherent Privilege of the Crown, and undoubted Prerogative of the Kings

of Scotland, to have the sole Power of chusing Officers of State, &c. and of holding and dissolving Parliaments, &c. and, That it is High Treason in any of the Subjects, to make Leagues with Foreigners, or among themselves, without his Majesty's Authority first had, &c. And therefore the League and Covenant, and all Treaties thereon, are not obligatory; and that none presume to require, or renew the swearing the said League and Covenant.

The next Act (I cannot say of Parliament, for it was purely arbitrary) was the total rooting out the *Presbyterian* Government in Scotland, and upon this Occasion.

Mr. James Sharp, Mr. Hamilton, Mr. Farwel, Mr. Leighton, (but whether sent for by the King, or sent by the Kirk-Party, I do not find) came in 1661 to London, and were ordained Deacons and Presbyters, and after consecrated Bishops by the Bishop of Winchester, and two other Bishops: The Acceptance of which was a Renunciation of their *Presbyterian* Ordination; nay, it was a Declaration of the Invalidity of their former Ordination: and thereupon, the King, on the 6th of September 1661, issued out a Proclamation, declaring his Royal Pleasure to be for the restoring the Government of the Church of Scotland to be by Arch-bishops and Bishops, as it was exercised in the Year 1637; and that he had nominated and presented Arch-bishops and Bishops to their several Bishopricks, and to have the same Authority they had in the Reign of his Grand-father. Thus you see the *Presbyterian* Government, which was set up by such odd swearing, without the King, is by his sole Authority utterly subverted.

In Obedience to this Proclamation, the Privy-Council, the 9th of January following, did discharge all Ecclesiastical Meetings in Synods, Presbyteries, and Sessions, until they be authorized by the Arch-bishops and Bishops, upon their Entry into the Government of their respective Sees; which was to be done speedily.

Tho this Proclamation, and Intimation of the Privy-Council, had prevented the Parliament, yet, to make sure Work of both, the Parliament, in their second Sessions, Redintegrated the Bishops to the Exercise of their Episcopal Function, and to all their Privileges, Dignities, Jurisdictions, and Possessions, due, and formerly belonging thereunto.

And another Act did ordain all Ministers to repair unto their Diocesan Assembly, and concur in all Acts of Church-Discipline, as they should be thereunto required by the Arch-bishops, or Bishops of the Diocess, under pain of being suspended from their Office and Benefice till the next Diocesan Meeting for their first Fault: and if they amended not, to be deprived, and the Church to be declared vacant.

In the Year 1649, (when there was no King in Israel) the Parliament, at the Instance of the Kirk, by the 39th Act, Discharge all Patrons, and the King not excepted, from Presentations to Church-

Church-Benefices, for that the Estates of Parliament were sensible of the great Obligations that lie upon them by the National Covenant, and the Solemn League and Covenant, and by many Deliverances and Mercies from God, and by the late solemn Engagement unto Duties, to preserve the Doctrine, and vindicate the Liberties of the Kirk of Scotland, and advance the Work of Reformation therein to the utmost of their Power : And considering that Patronage and Presentation of Kirks is an Evil and Bondage, under which the Lord's People, and Ministers of the Land, have long groaned; and that it hath no Warrant in God's Word, but founded on the Common Law, and is a Custom Popish, and brought into the Kirk in time of Ignorance and Superstition; and that the same is contrary to the 2d Book of Discipline, in which, upon solid and good Grounds, it is reckoned among the Abuses that are to be reformed, and unto several Acts of the General Assembly; and that it's prejudicial to the Liberties of the People, and planting of Kirks, and unto the free calling and entring of Ministers unto their Charge.

This Act did not hold long, for next Year Cromwel enter'd Scotland, and overturned all the Tables of Presbytery: nor was this much mended after the King's Restoration; for in the second Session of the first Parliament, 1662, the Parliament did ordain All Ministers who had enter'd to the Cure of any Parish, within Burgh or Land, in, or since the Year of God 1649, to have no Right unto, or up-lift the Rents of their respective Benefices, modified Stipends, Marsh or Glebe, for this instant Year 1662, nor for the Year following, unless they should obtain a Presentation from the lawful Patron, and have Collation from the Bishop of the Diocese where he liveth, before the 20th of September next.

Tho the High Commission which Laud so zealously endeavour'd to erect in Scotland, was put down by Act of Parliament 1641. in England, yet the King, by the inherent Right of his Crown, and by the Virtue of his Prerogative Royal, and supreme Authority in Causes Ecclesiastical, erected one in Scotland: The Commissioners were partly Ecclesiasticks, and partly Lay-men; who, or five of them, whereof one to be a Bishop, had a more arbitrary Power over the Clergy, than was practis'd in England under Laud, and more than Laud could have expected for a High Commission for Scotland in the King's Father's Reign.

Thus you see the Kirk, which would be a distinct Table, and independent upon the Crown of Scotland, are by the Prerogative of it committed to the arbitrary Mercy of the Prelates, whom, for above 24 Years, they had been railing against, and by many Oaths sware to extirpate.

But the Tribulations of the Kirk, for the time to come, do not end here; for the Parliament resolve to stigmatize them for their Actions past, and therefore upon the 5th of September 1662, they

they form a Declaration to be subscribed by all who shall have any publick Charge, Office, and Trust within the Kingdom, in these Words.

I — do sincerely affirm and declare, That I judge it unlawful for Subjects, upon Pretence of Reformation, or any other Pretence whatsoever, to enter into Leagues and Covenants, or to take up Arms against the King, or those Commissionated by him; and that all these Gatherings, Convocations, Petitions, Protestations, and erecting and keeping Counsel-Tables, that were used in the beginning, and for carrying on the late Troubles, were unlawful and seditious: and particularly, That those Oaths, whereof the one is called the National Covenant, (as it was sworn and explained in the Year 1638, and thereafter) and the other entitled, A Solemn League and Covenant, were, and are in themselves, unlawful Oaths; and were taken by, and imposed upon the Subjects of this Kingdom, against the Laws and Liberties of the same; and that there lieth no Obligation upon me, or any of the Subjects, from the said Oaths, or either of them, to endeavour any Change or Alteration of the Government, either in Church or State, as it is now established by the Laws of the Kingdom.

Thus you see the Parliament throw this upon the Son, which his Father so zealously contended for, even to the Loss of his Life: and when they had done all they could, the Son little cared for what they had done.

For the Year after, viz. 1663, the King granted a Toleration, and Indulgence to Dissenters from the Church. Thinking Men thought this strange, that the King should the Year before pass the Act of Uniformity, as the best Means to secure the Church against Popery and Fanaticism, and in this grant a Toleration. It could not be in Favour of them termed *Fanatics*, who kept him from his Crown; and last Year Venner with his Party, would have expell'd him again: And this Year, Swarms of Pamphlets were spread abroad, to defame his Person and Government: For printing some of which, Twyn the Printer was hanged.

Thinking Men considered too the time when this Indulgence was granted: for as the King in the Sale of *Dunkirk*, chose to do it in the Interval of the Sitting of the Parliament, so he did grant this Indulgence (I think) in November, when the Parliament was prorogued to February.

But tho the Parliament would take no notice of the Sale of *Dunkirk*, they did of this; and therefore the Commons upon their Meeting, entred into a serious Debate about it, and made an Address to the King, humbly representing, *How it would reflect upon the Wisdom of the Parliament, to have such an Alteration made so soon, and that for ought they could foresee, would end in Popery: And sure the Commons were true Prophets herein.*

However, whether the King fearing the Continuance of the Indulgence might retard the Commons in giving him Money, or that time was not yet ripe enough to insist upon it at present, he recalled his Declaration: So that tho the King did establish a High Commission in *Scotland*, by his Prerogative Inherent in his Crown, which the Parliament agreed to in *Scotland*; yet this Indulgence had not the like Effect in *England*.

This Indulgence may seem more strange, if we look into *Ireland*, where the *Irish* this very Year were contriving a Massacre of the Protestants, and holding Intelligence with the *French* King, which you may read at large in *Plunket's* Trial, and this proved by Popish Witnesses. I do not find the *Irish* had any Countenance herein by the King; nor do I believe the *French* King acquainted his Brother of *England* with it: Yet the Insincerity of the King's Intentions of any Benefit the Protestant Dissenters should have by this Indulgence, will appear by this, that when the Parliament, seeing the Danger which the Prosecution of Protestant Dissenters might bring upon the Nation, had prepared Bills for the Ease of Protestant Dissenters, the King would not pass them.

However the Memory of the Rage and Tyranny of the late Times took deeper Impression in the Parliament, than the Fear of *Popery*, intended by the King's Toleration and Indulgence, and therefore the Parliament from new invented Swearing, and new invented Declaring, proceed to new invented Laws against Dissenters and Conventicles; and the Act of the 16 *Car. 2. c. 4.* does declare the 35 of *Eliz. c. 1.* to stand in full Force, and ought to be put in Execution: and did also enact, That if any Number above Five more than the Family shall meet in any Assembly or Conventicle, upon Colour or Pretence of Religion, in any other manner than is allowed by the Liturgy and Practice of the Church of *England*, he shall be committed Prisoner for the first Offence, there to remain for a Term not exceeding three Months, unless such Offender shall pay a Sum of Money, not exceeding Five Pounds; for the second Offence, to be committed to Prison for a Term, not exceeding Six Months, or pay a Sum not exceeding Ten Pounds; and for the third Offence to be transported beyond the Seas for the Space of seven Years, unless he pay one hundred Pounds.

I will not dispute the Justice of these Laws; but I say, no Human Laws can divest Men of Human Nature, but that Man as well as all other Creatures, will endeavour by such Means as they are endued with, to preserve their Being and Subsistence in this World. And herein I again observe the unhappy State of this Nation in the Education of Youth in the *Grammar-Schools*, and our *Academical Learning*, (as 'tis called :) For tho a great Part of the Youth of *England* have Means to maintain them, after they have lost their

their time of Youth, under this unprofitable Breeding, whereby they are no way instructed how to live and converse in this World ; yet double, if not treble Numbers of Youth, are thus bred, who have little or no Means to maintain them after they become Men, and more than can be maintained by the Revenues of the Church, as they are established.

I say therefore, this kind of Breeding Youth, shall eternally create Feuds, and a kind of Civil War, between those who are in Church-Preferments, and those excluded from them ; and these for their necessary Subsistence, shall become Patrons of Factions opposite to the Church, within the Kingdom, and to the promoting the Popish Interest without. In the late Times, when the *Presbyterians* bare the Sway, were there not enow of that Party to supply the Vacancies of the Sequestred Clergy ; besides such Swarms of the Patrons of Independency, as were more numerous than they, and who turned them out : Yet was there a large Relick for to promote the Popish Faction. Upon the Restoration of the King, when the Sequestred Clergy were restored, were there not Multitudes of such Clergy as would have conformed, yet could not get any Preferment in the Church ? Thus excluded, what other means had they to subsist, but to become Nurseries of Factions, which were opposite to the Church ? and tho these Laws were intended against Protestant Dissenters, who had no other means of living but dissenting, yet you shall soon hear of another Sort of Dissenters ; and these secretly countenanced by this most Religious and Gracious King, which shall be much more dangerous to this Church and State, than those against whom these Laws were made. And I say, the *Unreasonableness of Separation from the Communion of the Church of England* will no more prevent this, than *Origines Sacra*, by not only confounding, but inverting all Rules and Methods of Reasoning, prove a Deity, or the Authority of the Sacred Scriptures, thereby making them the Creatures of a Creature, and the Production of a Fantastick Brain.

C H A P. II.

A further Account of this Reign, to the End of the Second Dutch War.

THe King being thus established in *England* and *Scotland*, tho he was not so in *Ireland*, this Year shews the Effects of his Power by making a War upon the *Dutch* ; and even this War

'twas believed, was carried on by *French Counsels*: For so long as the *English* and *Dutch* stood united, it would be very difficult, if not impossible, for the *French King* to encrease his Grandeur, either by Sea or Land, if the *English* and *Dutch* should oppose it. However, the outward Appearance seemed otherwise on the *French Part*: for in the Favour of the *Dutch*, he made War upon the *English*, tho to no Benefit of the *Dutch*, other than by the influence of his Party upon the *English Counsels*. But to return his Courtesy, the *Dutch* during this War built him six great Men of War; and the *Dane* joining with the *Dutch* and *French* against the *English*, built the *French* as many more; so that whilst the *English* and *Dutch* were fighting with one another to destroy their Men of War, the *French King* looked on, and without fighting encreased his.

The *English* and *Dutch* had been above Eighty Years Competitors in the *East-India*, *African* and *American Trades*; so that if either had a mind to quarrel, it would not be hard to find an Occasion for it. Queen *Elizabeth* kept so severe a Hand over the *Dutch*, that they durst not presume to give the *English* any Cause of Offence during her Reign; nor do I find the *English* gave them any in King *James's* Reign: Yet the *Dutch* gave the *English* a most abominable one, in the Business of *Ambonya*.

The World taking notice of the Vast Power at Sea, and Wealth which the *Dutch* acquired by the Fishery upon the Coasts of *England* and *Scotland*; King *Charles I.* required a Tribute or Acknowledgment from them about the Year 1630, as a Right belonging to his Crowns of *England* and *Scotland*. The *Dutch* were resolv'd not to part with their Fishery, and unwilling to pay the King any Acknowledgment for it; and instead of Payment, set *Hugo Grotius* to work, with his Pen to discharge it: Which he did in a little Treatise, called *Mare Liberum*.

The King to vindicate his Sovereignty, set Mr. *Selden*, (then at ill Terms with him, for I think he was a Prisoner in the Tower, for not submitting the Debates in Parliament to the Cognizance of the Council-Table and Court of King's Bench) to write *Mare Clausum*, in Answer to *Grotius's Mare Liberum*: Yet this is observable, how much the *Dutch Interest* governed their Reason; for soon after, (I will not say the certain time) in all their Manifestos in the *East-Indies*, the *Dutch* stiled themselves Sovereigns of the *Southern Seas*: And, as such, you'll hear how they exercised their Sovereignty over the *English*.

But King *Charles* (though he raised Ship-Money upon Pretence of suppressing Pirates, and for Safety of the Nation) in May 1636, issued out a Proclamation, forbidding the *Dutch* and all Foreign Nations Fishing upon the Coasts of *England* and *Scotland*; which the *Dutch* little regarding, set out for this Fishery notwithstanding: Whereupon the King commanded the Earl of *Northumberland*,

berland, with a Fleet of sixty Men of War, to take an Account of their Disobedience. The Earl with this Fleet, fell in upon the *Dutch*, and dispersed them, and cut their Nets, so as the *Dutch* were forced to seek for Shelter in the King's Harbours; where they were detained till they made a Composition to pay the King Thirty Thousand Pounds sterling yearly, for Licence to fish: And this was all the Action done, by raising Ship-Money for the Safety of the Nation, (whereof the King was sole Judge) and for Suppressing Pirates.

The *Dutch* in return, next Year, or the Year after, upon Pretence of taking in fresh Water, seize upon *New-York* in *Long-Island* in *America*, and change the Name into *New-Amsterdam*. But at this time things were in highest Ferment, both in *England* and *Scotland*, about establishing *Laud's Injunctions* in *England*, and erecting a High Commission in *Scotland*, by the King's Supreme Ecclesiastical Power, which the King was so intent upon, that he neglected to call the *Dutch* to an Account for the Surprisal of *New-York*.

In the Year 1643, the *Dutch*, by Virtue of their Sovereignty in the *Southern Seas*, by one *Geland*, in a Hostile Manner, between *Goa* and *Maccas*, in the Straits of *Malacca*, made Prey of the *Bona Esperanza*, and spoiled her of all her Tackle, Apparel, Furniture, and all the Goods and Lading in her, in her Return of a very hopeful Voyage from *China*, and carried them to *Batavia*, where without due Process of Law, they were confiscated: and the same Year, the Ship called the *Henry Bonadventura*, being come on Ground near the Island *Mauritius*, was seized with all her Goods and Lading, by the *Dutch East-India Company*, and kept from the Owners: And these Actions, both in the *East* and *West-Indies*, were done in time of Peace between *England* and *Holland*.

These Ships were set out by the Earl of *Shrewsbury*, Sir *William Courten*, Sir *Paul Pindar* and others, by Virtue of a New Charter granted by King *Charles* the First, in the Year 1635, and had laid the Foundation of a much more advantageous Trade for the *English*, than that of the *English East-India Company*: For the *Northern* and middle Parts of *China*, are cold or temperate, and so our Woollen Manufactures would have been very acceptable to them; whereas they are of little Use in the *Southern* Parts of *India*, and all the Islands in the *Indian Ocean*, which lie in the *Torrid Zone*.

The Earl of *Shrewsbury*, Sir *Paul Pindar*, and Sir *William Courten*, being Royalists, took no Care for Satisfaction in the late times: Nor do I find the *Rump* made any of these the Causes of the War between the *Dutch* and them; nor did *Oliver* in the Peace he made with the *Dutch*, take any Notice of these Violences used by the *Dutch* against the *English*, or the Honour of the Nation; yet he would

not by his Peace, discharge the *Dutch* from the Business of *Amboy-na*, but this was referred, 'twas said, to the *Cantons of Switzerland*, to be determined by them; but was never after regarded.

But King *Charles II.* being at better Terms with his Parliament and Subjects than his Father, the next Year after his Restoration, viz. 1661, sent Sir *Robert Holmes* with a Squadron of Men of War, and some Soldiers to *America*, with which he reduced *New York*, and all that which the *Dutch* had taken from the *English* in *Long-Island*: And from thence Sir *Robert Holmes* sailed to *Africa*, and took *Cape Verd*, and some other Places, where the *English* had Factories.

And about the same time, the Earl of *Shrewsbury*, with *William Courten*, (Grandson of Sir *William*) and the Executors and Creditors of Sir *Paul Pindar*, represented their Case to the King; who by Letters under the King's Signet Manual, demanded Reparations of the States for these Depredations, by Sir *George Downing* the King's Envoy, without any Satisfaction.

Thus things stood, when the *Algerines* being at War with the *English* and *Dutch*, the *Dutch* by their Ambassadour, desired the King in 1663, to join a Squadron of Ships with the *Dutch*, to reduce the *Algerines* to better Terms, which the King did, and sent a Squadron under Sir *John Lawson* to that end: And the *Dutch* sent another commanded by *De Ruiter* seemingly, but not designedly, for to join Sir *John* against the *Algerines*.

For *De Ruiter* after he had entred the *Straits*, abandoned Sir *John Lawson*, and sailed to *Cape Verd*, and dispossessed the *English* of their Factories, nor did he stay there; but sailing thence, he attempted *Barbadoes*, but was beaten off with loss: But with better Success he sailed to *Long-Island*, where he made great Depredations.

This Double-dealing of the *Dutch* alarm'd the Parliament, so as they petitioned the King to make War upon the *Dutch*, and the King was well disposed to it; (having before designed it, as many thought, and so took this Occasion for it :) nor were the City of *London* less forward than the Parliament for promoting this War; and upon that Account furnished the King with several Sums of Money, for which both Houses gave the City Thanks, upon the Twenty Fifth of November, 1665.

The King the Day before, made this Speech to the Commons. *Mr. Speaker, and you Gentlemen of the House of Commons, I know not whether it be worth my Pains to endeavour to remove a vile Jealousy which some ill Men scatter abroad, and which I am sure will never sink into the Breast of any Man who is worthy to sit upon your Benches; that when you have given me a Noble and Proportionable Supply for the Support of a War, I may be induced by some evil Counsellors, (for they will be thought to think very respectfully of my Person) to make a sudden Peace, and get all the Money for my own Private Occasions.*

But let me tell you, and you may be confident of it, That when I am compelled to enter into a War for the Protection, Honour and Benefit of my Subjects, I will (God willing) not make a Peace, but upon the obtaining and securing those Ends for which the War is entred into; and when that can be done, no good Man will be sorry for the Determination of it. But the War was not declared till the 22d of February following: But here I observe, that neither my Lord Chancellor Hyde, nor my Lord Treasurer Southampton were present in Council at it.

It may seem strange to any Man conversant in our Government, that the King in less than four Years and a half after his Restoration, should be in such a Necessity of borrowing such Sums of Money of the City; for the disbanding of the Army was paid by the Convention and Parliament, and the Parliament had settled the Excise on him, which was cessed at 500000 *l.* per Annum, and the Customs at 600000 *l.* and Chimney-Money worth 150000 *l.* per Annum, and 12 Car. 2. c. 26. granted the King the Arrears of twelve Months Assessment, commencing the 25th of December 1659, and (C. 29.) gave the King 70000 *l.* and (C. 34.) also the Post-Office, worth 50000 *l.* per Annum; and in the 13 Car. 2. cap. 3. vested in the King the Arrears of the Excise and new Imposts; and in the second Session (Cap. 3.) the Parliament gave the King 1270000 *l.* and (Cap. 5.) a voluntary Contribution, and (C. 8.) gave the poor Cavaliers 60000 *l.* that the King might never hear more of them; and (C. 9.) granted a further Relief for the poor and maimed Officers which had served the King's Father; and also (Cap. 15.) four intire Subsidies by the Laity, and four by the Clergy, besides all the forfeited Estates both in England and Ireland.

So that the Excise, Customs, Chimney-Money, Post-Office and forfeited Estates, at a moderate Computation, may be computed at 1600000 *l.* per Annum, a new Addition to the Crown which Queen Elizabeth had not; only the Court of Wards was exchanged for part of the Hereditary Excise. And, if you compute but six Months Arrear of the twelve Months Assessment at 70000 *l.* per Menssem, beginning at Christmass 1659, this will amount to 420000 *l.* and the Arrears of the Excise and new Impost at 300000 *l.* and 70000 *l.* granted the King, 12 Car. I. 29. and the 1270000 *l.* 13 Car. II. 3. and the voluntary Contribution at 300000 *l.* and the four Subsidies granted by the Clergy and Laity at 400000 *l.* besides the new added Revenue of 1600000 *l.* per Annum to the Crown, the King in less than four Years and a half received 2860000 *l.* or two Millions eight hundred and sixty thousand Pounds.

Yet the King paid no Debts of his Father's, nor do I find he built any new Men of War, nor made any War except that last Year against the Algerines: It's true, he married his Sister, but

had twice her Portion of the French King for the Sale of *Dunkirk*, and also 400000 *l.* Portion with the Queen. Now let's see how things stood in *Scotland*.

During the Earl of *Middleton's* Commission, the Parliament of *Scotland* granted the King so great a Revenue, that the King signified his pleasure not to raise any more; but tho *Middleton* in the general Opinion had done more in *Scotland* than could have been expected, yet *Lauderdale* thought he had not done enough, and therefore got the Parliament to be dissolved, and a new one to be called in 1663, and the Earl of *Rothes* (the Ring-leader of the Presbyterians in the Reign of *Charles* the First, and was the first that subscribed the Letter to *Lewis* the XIIIth for his Aid, by the Appellation of *Au Roy*) to be made Commissioner.

The King's Supremacy in all Ecclesiastical and Civil Matters, and so great a Revenue as the King could ask being settled by *Middleton*, one would have thought no more could be done; yet another Law must be passed, intituled the *Humble Tender*: Whereby the Kingdom of *Scotland* is obliged to raise the King twenty thousand Foot, and two thousand Horse sufficiently armed, and furnished with forty days Provision, to be in a readiness at his Majesty's Call: And also that all Scots-Men from sixteen to sixty, if the King should have further use of them, should hazard their Lives and Fortunes, as they shall be called by his Majesty, for the Safety and Preservation of his Sacred Person, Authority and Government, to march into any part of *Scotland*, *England* or *Ireland*, for the suppressing any Foreign Invasion, or Intefine Troubles, or any other Service wherein his Majesty's Honour, &c. was concerned: And this Law it may be was the Equivalent for which the Forts were demolished. Tho *Rothes* was Commissioner when the Act passed, yet *Lauderdale* assumed to himself the Glory of it; and it's observable, this Act passed the same Year, and about the same time the King issued out his Declaration of Indulgence to the Dissenters in *England*.

Thus you see, as the Parliament of *Scotland* outrun the Parliament of *England* in Loyalty to the King, so at least they went hand in hand with them in granting the King more Aids than he would ask of the Subjects of his antient Kingdom.

Never had Kings of *England* or *Scotland* their Debts so easily paid, or was one tenth part so highly carested by their Subjects in a time of Peace. Was it not strange then that the King should be in such Necessities for Money, as to borrow such great Sums of the City for carrying on this hasty War before the Parliament should meet to supply him?

Whereas when Queen *Elizabeth* came to the Crown, her Revenue, besides the Court of Wards, and the Dutchy of *Lancaster*, was but 188179 *l.* per Annum, and the Crown left in Debt by her Father, Brother and Sister (which she afterwards paid;) and

and for the four first Years of her Reign, the Parliament gave her but one Subsidy and two Fifteens about 120000 *l.* Yet in these Years she fitted up her Navy Royal, so as it was not only superiour to those of all the Neighbouring Nations, but of any Prince in the World; and also sent a Fleet and Land-Army into *Scotland*, with which she expelled the *French* out of it. And the Parliament in the fifth Year of her Reign gave her but another Subsidy, and two Fifteens, wherewith she assisted the Princes of the Reform'd Religion in *France*: Whereas the Parliament in the fifth Year of this King's actual Reign, gave him 2467500 *l.* for carrying on the War against the *Dutch*.

I will not dispute the Justice of this War, yet sure never was any made with such Precipitancy and Inconsideration both abroad and at home: for as the King entred into no Alliances or Confederations abroad in it; so on the contrary, *France* and *Denmark* (our next Neighbouring Nations) join'd with the *Dutch* against the King; and that tho the *Spaniard* stood Neuter in it, yet the King had little reason to expect any Benefit from him, having been so used in the King's Sale of *Dunkirk* to the *French*, and joining with the *Portuguese* and *French* against the *Spaniard*.

And as the King had made no Foreign Alliances abroad, so had he not laid up any Naval Stores at home; and, which is worse, he had the Act of Navigation (tho made by the *Rump*, yet the Parliament 13 *Car. II.* confirmed it, or set the Royal Stamp upon it) to struggle with to supply himself with Naval Stores for carrying on the War.

For the *Rump* were as hasty in making the Act of Navigation, as the King was in entering into this War, and made it general, without any Consideration of Time, either in War or Peace: and herein their Zeal to make this Law outrun their Wit or Memory; for these very Men about ten Years ago, viz. 16 *Car. I.* 21. (which yet stands unrepealed) taking notice of the manifold Mischiefs, tho in time of Peace, which happened by reason the Importation of Gunpowder was prohibited, contrary to Law, viz. That the Price of Gunpowder was excessively raised, many Powder-Mills decayed, the Kingdom much weakened and endangered, the Merchants much damnified, many Mariners and others taken Prisoners and brought into miserable Captivity and Slavery, many Ships taken by *Turkish* Pirates, and many other Inconveniences thereby ensued, and like to ensue: Therefore this Act made the Importation of Gunpowder, Salt-petre, and Brimstone free to Strangers as well as Natives, and a *Premunire* to hinder it. Whereas in this War, if the *East-India* Company shall set double or treble the Price upon Salt-petre, or if their Ships should miscarry, yet by this Act it is Confiscation of Ship, Goods, Tackle, Appa-

rel and Ammunition, for the Subjects of any other Nation to import Salt-petre, or Gunpowder.

The King, tho this were a Naval War, having laid up no Stores for it; yet if the *Swede* from any Port of *Norway* but *Gottenburg*, or if the *Bradenburgher*, *Lubeker*, *Hamburgher*, or *Emdenber*, should import any from any Port of *Norway*, or any rough Hemp or Flax from *Leistland* or *Prussia* for making Cordage or Sails, this had been Confiscation of Ships, Goods, Guns, Tackle, Ammunition and Apparel by this Act.

This Act restraining the *English* in the *Newcastle Trade*, and to the Plantations, to navigate their Ships by three fourths *English*, the King was forced to man his Fleet with pressed Men, the greater part whereof were Land and Water-Men: Whereas, if it had been free for the *English* during the War to have employed Foreigners in these Navigations, the King might have above twenty thousand of his best Sea-men more than he had to man his Fleet, and the City of *London*, and other Parts of *England* thoroughly supplied with Coals at half the Prices, and with more Security.

The King by reason of this Act, in the first Year of this War, was forced in the dead of Winter to send Sir *John Harman* to *Gottenburg* with a Squadron of Men of War for Masts, Pitch and Tar, where by the Coldness of the Season some of the Ships were frozen up, and many of the *English* lost their Noses, and were benumm'd in other Parts with the Cold: Yet all agreed, if the King had not been supplied with Naval Stores by this Fleet, he could not have fitted out a Fleet next Year.

These things, tho evident to any Stander-by, yet the Parliament took no notice of them: However, the King wisely dispensed with the Act of Navigation, so far as it related to the Importation of Naval Stores, and Hemp, and Flax, with this different Success, that tho the Parliament the Year before boggled at the King's dispensing with the Penal Laws against Dissenters, yet they took no notice of the King's dispensing with the Act of Navigation.

Tho this War was thus hastily begun, yet was it managed more carelessly and prodigally than ever any was before: The Officers of the Fleet, like those of the Guards, bought their Places to sell their Lives; the poor common Sea-men not paid, and wanting Money to pay their Quarters, were forced to take Tickets for less than half their Wages: whilst Favourites swelled into incredible Riches by the Ruin and Spoil of the Nation. The innumerable Prizes taken from the *Dutch*, were so far from contributing to the Charges of this War, that many of them were given to Women and Favourites, and became a Charge to the King: no Inspection must be into the defraying the Monies given for the War,

for this was to distrust the King: The Officers who had bought their Places in the Fleet, instead of minding their Business, made it their Business how to be Gainers for the Purchase of their Places, and caballed how they might improve their Interest at Court.

However, the King receiving no Satisfaction from the Dutch for the Injuries done to Sir William Courten and Sir Paul Pindar, upon the 17th of May 1665 granted Letters of Reprisal to Sir Edward Turner and George Carew, their Executors, &c. against the Dutch, till they should be satisfied 151612 l. This Grant to stand in force notwithstanding any Peace to be made, till Sir Edward Turner, &c. were fully satisfied of the said Sum, with all their Costs and Damages.

Sir Thomas Allen opened the first Sea Campaign, by falling upon the Dutch Smirna-Fleet, and took four of them richly laden; and the third of June following, the English Fleet commanded by the Duke of York, Prince Rupert Admiral of the White, and the Earl of Sandwich of the Blue, fought the Dutch off the Coast of Harwich, where the Dutch were put to flight; Opdam their Admiral was blown up, and Cartinere, Stillingwolf and Stamp Flag-Officers, killed, and eighteen of the Dutch Fleet sunk and taken; and if it had not been for fear of disturbing the Duke in his next Night's Sleep, it's believed the whole Dutch Fleet might have been destroyed. But in this Fight, the English lost the renowned Earl of Marlborough; who, tho Admiral in King Charles the First's Reign, died a private Captain in this Fight; Rear-Admiral Sanson was killed in it, and Vice-Admiral Lawson soon after died of his Wounds.

The Duke of York was of too estimable a Value to be ventur'd any more in this War, for in his Person the Hopes of this War and Declaration of Indulgence resolved: So the Earl of Sandwich was made Admiral, Sir Thomas Allen of the White, and Sir Thomas Tiddiman of the Blue Squadrons,

The Dutch were so damaged in the first Fight, that they were not in a Condition to set out another Fleet this Year. But the Dutch having lodged their East-India and other Fleets in Bergen in Norway, the English Fleet sailed thither to attack them in it.

But Sir Thomas Tiddiman, who was ordered to do it, did not sail into the Harbour as he might have done upon his first Approach, but sent to the Governour of the Castle to treat without; the Dutch within, alarm'd at the Danger, set all hands on work that Night, so that by the Morning they had so fortified the Castle, that it was impossible for the English to force a Passage: and the Weather growing boisterous, it being towards the latter end of September, the English Fleet was forc'd to return; nor could the Dutch Fleet stay in Bergen; and in their Return home, two of their richest East-India Ships, and about 80 Sail of their other Ships

Ships fell to the *English* share: but tho they were deep laden when the *English* took them, they became much lighter before they came into the *English* Harbour.

It seems God was not pleased with these things; for this Year he sent a horrible Plague, which raged over almost all the Parts of *England*. The greatest Plague which happened since *Edward* the Third's time in *England*, was in the first Year of this King's Grandfather; yet a greater in the first Year of his Father's Reign; and now a greater than either, in the sixth Year of his actual Reign. And as the Plague drove the Parliament to *Oxford* in his Father's Reign, so did it now in his.

But neither the Mourning of the Land because of Oaths, the Plague, this *Dutch* War, nor the King's Declaration of Indulgence for dispensing with the Penal Laws against Dissenters, could abate the Parliament's Zeal in prosecuting Protestant Nonconformist Ministers, but they made a Law, called the *Five-Mile-Act*, whereby they were banished five Miles from any Corporation, or Market Town, and had this Oath imposed upon them.

I A. B. do declare, That it is not lawful, upon any Pretence whatsoever, to take up Arms against the King; and that I do abhor that traiterous Position, of taking up Arms by his Authority against his Person, or any that are commissioned by him, in pursuance of such Commission. And I do swear, that I will not, at any time to come, endeavour the Alteration of the Government either in Church or State, So help me God.

The poor Non-conforming Ministers did quietly submit to this in *England*, but the *Presbyterians* did not so to the High Commission erected in *Scotland*; for about this time they rose in Arms at *Pentland*, against the Persecution of the Prelates who disturbed them in the Execution of their Ministry; but were soon broken, and a terrible Execution follow'd upon them, as Traitors and Rebels.

In *England*, the Parliament at *Oxford* granted the King 1250000 *l.* for carrying on the War against the *Dutch*; and in the Spring 1666 the Plague ceasing, the King set forth a Fleet under the Command of Prince *Rupert* and the Duke of *Albemarle*, Sir *Thomas Allen* Admiral of the *White*, and Sir *William Berkley* of the *Blue*. But the *Dutch* and *French* now try to do that by Craft which they could not do by Force and Plain-dealing: And to this purpose it was given out, that the *French* had fitted up a strong Fleet to join the *Dutch*; and this so prevailed upon the King and Council, that upon the 25th of *May* (a remarkable Day) when the *English* Fleet was riding in the *Downs*, Prince *Rupert*, in all haste, was ordered with the *White* Squadron to sail to the West, to fight the *French* Fleet coming

coming to join with the *Dutch*. I desire to be particular in some part of what followed, because I had it from Sir *John Harman* himself, who was Vice-Admiral of the *Blue*.

At the same time Prince *Rupert* sailed from the Fleet, the *Dutch* put out to Sea, the Wind at North-east, a fresh Gale; this brought the *Dutch* Fleet on the Coast of *Dunkirk*, and carried the Prince to *St. Helens*, on the Isle of *Wight*: but the Wind suddenly turning into the South-west, blew a strong Gale, which brought the *Dutch* and Duke to an Anchor; when Captain *Bacon* of the *Bristol*, by firing of his Guns, gave notice to the Duke of the Approach of the *Dutch*.

Hereupon the Duke summoned all the Captains on board him, not to consult whether to fight the *Dutch*, but to order them to weigh Anchor, and fight the *Dutch*. This was the 1st of *June*, the Wind at South-west blowing a stiff Gale, so that the *Dutch* were forced to cut their Cables, not having time to weigh Anchor; and tho the *English* had the Weathergauge of the *Dutch*, yet the Wind so bowed the *English* Ships, that they could not use their lowest Tire when they came up to fight the *Dutch*.

Sir *William Berkley's* Squadron led the Van: but the Duke, when he came on the Coast of *Dunkirk*, to avoid running on a Sand, made a sudden Tack, which brought his Top-mast to the Board; whereupon he was forced to lie by 4 or 5 Hours, till another was set up: but the *Blue* Squadron knowing nothing of this, sailed on, fighting through the *Dutch* Fleet, which were 5 to 1 of the *Blue*. Here Sir *William* was killed, and his Ship (the *Swiftsure*, a second Rate, and all her Guns Brass) taken, so was the *Essex*, a Frigate of the third Rate, and Sir *John Harman* in the *Henry* got among 9 Ships of the *Zealand* Squadron, commanded by Vice-Admiral *Everts*; and these so disabled the *Henry*, that *Everts* offered Sir *John* Quarter if he would yield; but Sir *John* told him 'twas not come to that yet, and gave him a Broadside, and killed *Everts*.

Hereupon this *Zealand* Squadron failed to assist their Fellows behind, and only left Sir *John* to the Mercy of 3 Fireships; one of which grappled the *Henry* on her Starboard Quarter: The *Dutch* Fireships do not take Fire at first, as the *English* do, but first raise a Smoak incredibly stinking, and so thick as nothing can be seen at the least distance, so as it could not be seen where the Fireship's Grappling-Irons were fixed; but upon the Fireship's taking Fire, Sir *John's* Boatswain swung himself into the Fireship, and by the Light of the Fire found where the Grappling-Irons were fixed in the Fireship, and let them loose, and got on board again.

But another Fireship grappled the *Henry* on her Larboard Quarter-Deck, and took Fire, and Sir *John's* Chaplain, and about 50 more, skipped into the Sea; whereupon Sir *John* ran among the Mariners, and threatened to kill any other who did not assist in quench-

quenching the Fire : whereupon Sir John's Cabbin-Boy seeing the Sails on fire, with wet Cloths encounter'd and put it out ; but the Cordage being burnt, the Cross-beam fell upon Sir John's Leg, and broke it.

By this the third Fireship made towards the *Henry*, but 4 Pieces of Cannon laden with Cross-shot disabled her ; so that Sir John set up Jury-Masts, and brought the Ship into *Harwich*, and the next Day after fitted her up, and tho his Leg was broke, went out to Sea again to have fought, but the Fight was over before he could come up to the Fleet.

In this Day's mad Fight, wherein the *English* could make no use of their lower Tire of Guns (and therefore Sir *Thomas Tiddiman*, Rear-Admiral of the *Red*, refused to engage) the *English* were much damnified in their Rigging, yet next Day the Duke engaged the *Dutch* again, tho above double his Number of Ships, and the *Dutch* hourly receiving fresh Supplies ; so he did the Day after, the 3^d of June, when the Duke caused several of his most disabled Ships, after he had taken out their Men, to be burnt, and had but 16 Ships left able to fight, with which he retreated, putting them between the *Dutch* and his unburnt disabled Ships.

Towards the Evening, the *English* espied the *White Squadron* making up towards them ; but the *English* engaged with the *Dutch*, striving to make their nearest Way to meet the *White Squadron*. The *Prince Royal* (it may be the best Man of War in the World, and best gunn'd) commanded by Sir *George Askew*, run on a Sand, and was lost, and Sir *George* made Prisoner ; yet next Day the Fleets fought again, and by the help of the *White Squadron*, the *English* Fleet, with much ado, got into Harbour again ; leaving it a Problem, whether it were a greater Treachery to divide the Fleet, or Madness to fight the *Dutch* with the rest, when they could not use their lower Tire of Guns.

The *English* and *Dutch* thus engaged at Wars at home, the *French* King, instead of sending his invisible Fleet into the Channel to assist the *Dutch*, sends a visible Fleet to the subduing the *English* in their Plantations in the *Leeward Islands*, and almost totally expell'd the *English* out of *St. Christophers*, and interrupted them in their Trade to their other Islands, and assumed a Sovereignty in those Seas : where, at present, we leave him, and return to *England*.

The Loss and Damage which the *English* sustained in the last Fight, gave the *Dutch* an Opportunity to put out to Sea, and ride braving upon our Coasts 3 Weeks, or a Month, before we could repair, and fit out another Fleet : but upon the 17th of July, the *English* put to Sea again ; whereupon the *Dutch* retreat to their own Coasts, where the *English* again engage them upon the 25th, and where they beat the *Dutch*, and forced them into their Harbours : In the Fight, *Everts* (Brother to *Everts*, killed by Sir *John* *Harman*)

Harman) Admiral of the *Zealand Squadron*, *Tirich Hides* of the *Friesland Squadron*, Vice-Admiral *Conder*, and 6 Captains, and Vice-Admiral *Banker's Ship*, and the best Ship of *Harlem*, were taken and burnt. The *English* lost but one Ship, commanded by Captain *Haiman*.

The *Dutch* thus driven in, gave the *English* an Opportunity to burn the Village of *Brandaris* in *Schelling*, and fire above 150 Sail of the *Dutch* within the *Fly*.

Upon the 16th of *August* the *Dutch* put to Sea again; and now the *English* had 10 or 12 Men of War more than the *Dutch*, (which was the only time, in this and the other *Dutch War*, the *English* had so many Men of War as the *Dutch*) and to the Amazement of *Standers-by*, the *Dutch* forsook their own Coast, and sailed towards the *French*; for which no other Reason could be given, but that the *French King* (who equally loved the *Dutch* and *English*) had decoyed the *Dutch* to join that invisible Fleet, which we divided ours to fight with.

The *English* pursued the *Dutch* through the Straits between *Dover* and *Calice*, and were ready to engage them, when by a terrible Storm the Wind drove the *English* to an Anchor at *St. Helen's Point*, where in the Passage the *St. Andrew* (a second Rate Ship) broke her Back upon a Sand, and the *Dutch* came to an Anchor in the Bay of *Bulloigne*: and the Wind about the 8th of *September* turning, brought the *Dutch* home before the *English* could engage them.

And in that instant, *September* the 2d, as near as could be conjectured, that this Storm arose which saved the *Dutch Fleet*, the City of *London* flew on Fire: nor did the Desolation made by the Fire end in it; but when it was over, by Order of Council, all the Houses upon the *Tower Ditch*, to the number of about 200, were pull'd down, to preserve the *Tower* from the Danger of another Conflagration now the City was burnt.

The Firing of the City of *London* so soon succeeding the Division of the Fleet, caused a strange Consternation, not only in Mens Minds in *London*, but all the Nation over, That there were Designs to ruin the Nation as well on Shore as at Sea; whereupon infinite varieties of idle Tales and Stories were printed, as well as said; so as tho a general Fear of Plots against the Nation was evident, yet in this Confusion, the Cause from whence the City of *London* became fired was not only smothered, but the Means of searching into it prevented. Herein I will take notice of only two Particulars, both which are mentioned in Sir *H. C's* Speech in the third *Westminster Parliament*, which met the 21st of *October* 1680.

In *April* 1666, next before the Fire of *London*, several Persons confessed they had been treated with, and had treated with others

to burn the City of London in September following, tho the Parliament were then sitting, and this a Matter of State proper to be enquired into by Parliament; yet these Men were hanged, so as no further Enquiry could be made into it; and all those who were taken in carrying on the Work, discharged, except one *Hubert a Papiſt*, who confessed that he and others set the City on Fire.

Upon this *Hubert* was condemned; but I do not find he was examined who those other were who joined with him in it, or who set him on work: but this I find, that Mr. *Hawles*, in his Remarks upon *Fitzharris's Trial*, fol. 5. says, That the Commons resolving to examine *Hubert* upon the Matter, next Day *Hubert* was hanged before the House sat, and so could tell no further Tales.

Those who excused the firing of London to have been by Design, or that *Hubert* had any hand in it, said *Hubert* was mad, and knew not what he did or said: And why then would they let him be tried upon it? For it is not only contrary to our Laws, but to the Law of Nature and Humanity, to try and convict a Mad-man of any supposed Crime, when he is incapacitated to make any Defence, as a Mad-man is. And tho the Statute of 33 Hen. 8. in High-Treason ordains, That if a Man fall mad after he had committed High-Treason, yet he should be tried for it and executed; yet this extends only to High-Treason, upon which *Hubert* was not tried; but even this Law being deemed inhumane and cruel, was soon after repealed. But this Case of *Hubert's* only led the Van; you'll hear of others of like nature, which followed.

I remember very well, that when it was blazed about that *Hubert* was mad, and the City in Ruin, *Hubert* was carried to shew where he fired the City; and tho it was in its Ruin, *Hubert* shewed those who brought him, where it began. I confess I was not present then; but such was the Fame of it, which I never heard to be contradicted.

This Year the Parliament, that they might not less contribute to the French Grandeur by Sea, than the Rump had done by the Act of Navigation, made a Law (18 Car. 2. cap. 2.) against Importation of Irish Cattel; which, in regard it is the only Law since the Creation which was ever made by any Prince or State, to make things necessary for Preservation and Convenience of Humane Subsistence scarce and dear, we will more particularly make these Observations upon it.

The Reason given for this Law was, That the Importation of Irish Cattel had fallen the Rents and Value of the Lands of England, and were like to fall more.

Observation I.

It's true, the Rents, and Value of the Lands of *England*, were fallen at this time considerably, but not from the Importation of *Irish* Cattel; for Lands are valuable as Trade is more or less, and Money more plentiful: And we have shewed, That the Severity used by the Bishops in 1636 had sent many of our Woollen Manufacturers into *Holland*, as much to their Enriching, as to our Impoverishment: That by the Treaty of *Munster* in 1648, the *Dutch* became Partakers with us in the *Spanish* Trade, whereby, above all others, we were enriched: That by reason of the *Act of Navigation*, we have, upon the matter, lost the most beneficial Trades to *Hamburgh*, and into the *Sound*, with our Woollen Manufactures. And besides the eternal fixing the Fishing-Trade upon the Coasts of *England* and *Scotland*, to the *Dutch* by this War, we have totally lost the *Greenland* Fishery, and the *Dutch* partake with us in the *Iseland* and *Westmony* Fishing Trades, and the *French* to the *Newfound-Land*: That by *Oliver's* breaking with the *Spaniard*, and joining with the *French*, the *Dutch* got all the Riches of the *Spanish* Trade, whilst we were bound to be Losers by the *French*.

I will add two more Reasons of the Fall of the Lands of *England*. One, The advantageous Treaty of Commerce made by *Oliver* with the *French*, was not established by the King; but a much worse, if any, submitted to: And after, the *French* set such high Imposts upon our Commodities, that *Sir John Trevor*, in his Appeal, takes notice that we did not vend one fourth of the Commodities we before exported into *France*, whilst we consumed *French* Wines, Brandies, and other *French* Wares, more than before: So that about this time, or soon after, the Lords Commissioners for a Treaty of Commerce with *France*, appointed a Committee to inspect the Difference of the Ballance; which, besides those of Gloves, Lace, Ribbon, and other Toys, did amount yearly to 965128 l. 17 s. 4 d. imported from *France*, more than exported out of *England*.

The other is, That the most gainful Trade the *English* have, is that to *Spain*, which has no other Means to maintain it, but by the Returns of their Fleet; which since we took *Jamaica*, the *Buccaneers* so interrupted the *Spaniard* in the *West-Indies*, that as the *Spanish* Loss and Returns were more difficult, so much was our Trade to *Spain* damnified.

Observation II.

The Importation of *Irish* Cattel might fall the Rents of Lands, yet not make them the less valuable; for if Landlords would con-

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tent themselves with the Product of their Tenants Labours, so that if they could buy their Commodities half, or one third, &c. cheaper, their Lands would be as valuable as if they had half, or one third, &c. more Rent, and they pay so much more for their Commodities: besides, many thousands of People might subsist by their Labours where Provisions are cheaper, which could not, if dearer; and the Charge of maintaining the Poor are so much more, as Provisions are dearer; and so much less must the foreign Vent of our Manufactures be, as Provisions are dearer whereon Workmen subsist. But admit the Importation of *Irish* Cattel had caused such Plenty of Provision as the Nation could not have expended, yet if Commodities be Riches, the Nation would have been so much more enriched by the Importation of the *Irish* Cattel; and by this means might have established a foreign Trade upon that Account: and only by foreign Trade the Nation is enrich'd.

Observation III.

The Returns which the *English* made for *Irish* Cattel were Clothes, Hats, Caps, Stockings, Hops, and other Manufactures, which upon the Act ceasing, the People who subsisted by working these, necessarily fell into Decay and Poverty; so as the Value of the Lands of *England* were lessen'd both ways: for as these People who by their Labours were enabled to buy Provisions, to the Improvement of the Value of the Lands of *England*; so by their Poverty they became a Charge and Burden to them.

Observation IV.

If it be Injustice and Wickedness to take away another's Lands or Goods without a just Cause, it's equally, or more wicked and unjust, to take away the means of living from industrious Men in their just Employments, and make no Retribution; both which this Law did to the People employed in the Manufactures returned for *Irish* Cattel. Nor did this Law make any Provision for the Mariners employed in bringing over *Irish* Cattel, nor pay the Owners of the Vessels employ'd in it for their Vessels, now they had lost their Employment. Nor did the Parliament give the King any Satisfaction for 30000 l. per An. Duties, paid the King for importing *Irish* Cattel.

Observation V.

By this Law the *English* lost the Manufactures of the Hides, Tallow, and Horns of the Cattel, which might have been wrought in *England*, and gave them to other Nations, if the *Irish* should not work

work them; to the Loss of the Employment of the *English*, and thereby lessening the Value of the Lands of *England*.

Observation VI.

Suppose that we had no *Act of Navigation*, but our *Western Men* might have built and fitted out Ships for the *Newfound-Land Fishery* as cheap as the *French*; yet by this *Act* against Importation of *Irish Cattel*, the *French* being enabled to victual Ships cheaper from the Ports of *Ireland*, than we from the *English*; the *French*, from this only Cause, may have the foreign Vent of the *Newfound-Land Fishery*, whilst the *English* are necessitated to vend theirs only in *England*; which is as much a Grievance, as the Importation of *Irish Cattel*; for the Expence of them will as much fall the Price of *Flesh*, as the Importation of the *Cattel*.

Observation VII.

By this Law, the *English* have lost the Benefit of Victualling foreign, as well as *English* Ships, from our own Ports, and established them in *Ireland*, to the lessening the Value of the Lands of *England*, and this in time of Peace: And in time of War, by how much cheaper foreign Nations can victual Ships from *Ireland* than we can from *England*, so much cheaper they may manage War, and continue it longer.

Observation VIII.

The Wools of *Ireland* are generally better than those of *England*, (I have it by very good Authority;) and by the 14 *Car. II.* 18. it's Felony to export any out of *England* or *Ireland*: The Reason given is, it would decay the Woollen Manufactures, ruin many Families, and be the Destruction of the Navigation and Commerce of *England* and *Ireland*.

And why would it decay the Woollen Manufactures, and ruin many Families, to export Wool? The common Reason given is, That the Natives of other Countries would work them cheaper than the *English*, whereby we should lose the Employment of our People. If this be a Reason, this *Irish Act* was made in an ill time to make Provisions dearer, which will necessarily resolve into a further Dearthness, because those who work our Woollen Manufactures must live by Food; and so much the dearer Food is, so much dearer must Mens Labours be.

But I say this is not the Reason; for no People in the World, in like Circumstances, take so much Pains, for so little Profit, as the *Combers*, *Spinners*, and *Weavers* do in our Woollen Manu-

tures; and I'm sure the Wools and Fullers-Earth in *England* are cheaper here than can be had elsewhere; and an *English* Man or Woman hath a better Habit of Body, and as good a Wit, as a *French* or *Dutch* Man or Woman; and that in *Holland* they pay as much for Excise for Meat and Drink, as in *England* is paid for them.

I'll give the true Reason, why, if the *Dutch* or *French* get our Wools and Fullers-Earth, they may vend the Manufactures cheaper in foreign Trade than the *English*. The Wools of *Derbyshire*, *Nottinghamshire*, *Leicestershire*, *Warwickshire*, *Lincolnshire*, *Rutlandshire*, *Northamptonshire*, *Huntingtonshire*, *Hertfordshire*, &c. are in the dead of the Winter, brought by Land-Carriage to *Norwich* and *Colchester*; and even the Wools of the Sheep killed in *London*, are carried to *Colchester* to be wrought there; and then by another Land-Carriage they are brought to *London*, as our *Western Cloths* are: And then none but the Free-men of *London* must buy them, at, it may be, 20 *per Cent.* cheaper than they might be sold if the Trade were free; then they must be vended abroad in *English*-built Ships, double as dear by the *Act of Navigation*, and these sailed by near double the Hands of foreign Ships of like Dimensions; and if any Returns be made, they shall pay twofold more Duties than if they were imported into *Holland* and *Hamburg*: And upon other Terms our Poor must not be employed, working Woollen Manufactures.

It's agreed, the vast Riches of *France* arise by the Trades which the *English*, *Dutch*, *Dane*, *Hamburgher*, *Embdener*, *Lubecker*, and *Bremeners* drive, trading into *France* for Wines, Brandies, Salt, Paper, and the *English* besides these, for Linen, Cordage, and Sails. Suppose then, the *French* King should by Edict ordain, that these should be first brought by Land-Carriage to *Paris*, and then none but the Free-men should buy them at what Rates they please, and then these should vend them in foreign Trade only in *French*-built Ships, and these sailed by three fourth parts *French*, whether they have Ships or Men or not; and the Returns made of them, to pay him twofold more than if they were imported into *Holland* or *Hamburg*, &c. Would not any Man think he were mad? Yet what would that differ from our Practice?

At this rate we have in *England* more Wools than we can work; and by this *Act* the *Irish* are forced to breed Sheep upon the Grounds they bred their Cattel before the *Act*; and by the *Act* of 14 *Car.* II. 18. it's Felony to export the Wools, so as the *Irish* are necessitated to work them, where Provisions are cheaper than in *England*, and where they shall not be at the unnecessary Land-Charges of Carriage of their Wools, and Re-carriage of their Cloths; where they shall not be restrained to the vending of them to Free-men of Corporations at 20 *per Cent.* Loss; and where

where their Ports are better and more convenient for foreign Trade than those of *England*; and then the *English* must condescend to the Terms of the *Irish*, or these will undo more Families, and more decay the Trade of our Woollen Manufactures, than if Foreigners wrought the *Irish* or *English* Wools.

Observation IX.

Ireland is a Kingdom depending upon *England*, and Trade and Commerce create a mutual Correspondence and Interest between Countries, so as this Law makes the Correspondency and Interest of *Ireland* to depend upon other Countries; whereas it is the Interest of *England*, that *England* should have been the Mart or Storehouse of all the Wools, Hides, Tallow, &c. renewed in *Ireland*; as *England* is the Store-house of the Product of our Plantations, or as *Holland* is of the Spice Trade.

These ruinous and mischievous Consequences this Law has brought upon *England* and *Ireland*, only that the *Northern* and *Western* Men might have a Monopoly of imposing what Rates they pleased upon the *Eastern* and *Southern* Parts of *England*, I may safely say to the lessening the Rates and Value of those Lands at 30 per Cent. and I dare say from many less Causes; or if this Partial Law had been imposed by any King out of Parliament, it might have caused a Rebellion in *England* and *Ireland* too: Yet it had been the Interest of the *Northern* and *Western* Men to have continued the Importation of *Irish* Cattel; for in breeding Cattel they can make but one Return in five Years, whereas they might make four Returns in one Year by the *Irish* Cattel imported: Yet in many Land-Taxes, the Parliament taxed the *Southern* and *Eastern* Parts of *England* near double more than the *Northern* and *Western*.

But neither the King's Management of Business, this Infant-Law, the Fire of *London*, the pulling down the Houses upon the *Tower-Ditch*, the Plague, nor the *Act of Navigation*, now sixteen Years old, could allay the Parliament's Heat from carrying on this War against the *Dutch*; and therefore they gave the King 1256000 *l.* towards it: but the King had other Occasions for the Money, and thought he better otherwise could dispose of it, upon the Assurance he had from his Mother out of *France*, that the *Dutch* would not set out another Fleet this Year, tho the *French* King used all means that the *Dutch* should do it: And this Year the *Zealanders* set out a Squadron of Ships, and took *Surinam* from the *English* in *America*.

Relying upon his Mother's Intelligence, the King, by the Mediation of the *Swedish* Ambassador, entertains a Treaty of Peace with the *Dutch*, whilst they make all possible Preparations for War,

which all the World saw but the King, who would not see it; and so took no Care to set out a Fleet to fight them, nor to protect his Fleet in their Ports.

However, the King at this time was not pleased with the Insults of his Brother of *France* upon the *English* in their Plantations in the *Leeward Islands*; and therefore sent Sir *John Harman* with a Squadron of Frigats, to repress the *French Insolence* there: Sir *John* had the Gout so as he could not go; but upon the Discovery of the *French Fleet*, got upon his Feet, and gave Orders to fight the *French*, which he did, and beat them; and during the Fight, walked and gave Orders as when well. But the Fight was no sooner over, when Sir *John* returned to his goury Lameness again, and after reduced *Surinam* to the *English*: but this was after the Peace of *Breda* between the *English* and *Dutch*.

The *Dutch* having compleated their Fleet, upon the 5th of *June* entred the River: I was on the 10th, in the Morning, walking in *St. James's Park*, when a Gentleman whispered to me, That the *Dutch* were enter'd the River. Then the King had fed his Ducks, and was walking on the West-side of the *Park*; and as we walked, Prince *Rupert* overtook us, and met the King at the further End of the *Pall-Mall*; and the King told the Prince how he had shot a Duck, and such a Dog fetch'd it: and so they walk'd on till the King came to *St. James's House*, and there the King said to the Prince, *Let's go see Cambridg and Kendall*, (the Duke's two Sons, who then lay a dying) but upon his Return to *White-hall*, he found all in an Uproar, the Countess of *Castlemain* (as 'twas said) bewailing above all others, that she should be the first torn in pieces.

Hereupon the Duke of *Albemarle* was posted down to *Chatham*, where, in a Council of War, it was resolved to sink all the Ships; but as they lay, there was not Water enough. The *Dutch* found an easy Passage, after they broke the Boom which lay cross the River; for no Fort was then finished at *Sheerness*, and that at *Upnor* ruin'd for want of Repair: however, the Duke put some Guns into it, which shooting high, little damaged the *Dutch* in the Passage: So the *Dutch* fired the *Royal James*, *London*, and *Royal Oak*; and the *Henry* being afloat, run so violently upon *Rochester-bridg*, the Tide forcing her, as endanger'd the breaking of it; and the *Royal Charles* was carried off by the *Dutch*.

I was then at *London*, and also in the Plague and Fire Years, yet in neither did I observe such Consternation and Confusion in the Looks of all Men as at this time, and with great Cause: for if the *Dutch* had then come up to *London*, they had found all open to them; nor one Gun mounted at *Tilbury Fort*, nor one Frigate ready in the River; so as they might have forced all the Ships in the River up to the Bridg, and there have burnt them; which would

would certainly have fired the *Tower*, and all the Suburbs West to *Black-wall*, as well as *Southwark*, below *Bridg*.

Nor were the Ships at *Portsmouth* in more Safety; and the Dutch had Ships enow to have made both Attempts at the same time; but whilst the Dutch lay loitering below *Sheerneß*, the English had time to plant some Guns in *Tilbury Fort*, and sink Ships cross the River at *Woolwich*: And the King sent the Earl of *Macclesfield* and Captain *Elliot* to *Portsmouth*, who used such Diligence in fortifying it, that when the Dutch came before it, they thought not fit to attempt to do what they had done at *Chatham*.

However the Dishonour which the Nation sustained by this Action may be forgotten, yet the sudden and more dishonourable Peace concluded at *Breda* the 9th of July following, will never be: Where the 3d Article is,

That all Offences, Injuries, Damages, and Losses sustained on either side by the King and States, or their Subjects during this War, or at any time before, upon any Cause or Pretence whatsoever, be totally expunged, and buried in Oblivion.

So that by this Article the Business of *Amboyna* is buried, and never to be called in Question; which *Oliver*, tho he made Peace with the Dutch, would not do, but was referred to the *Cantons* of *Switzerland*, who never did any thing in it.

By this Article the Dutch had *Polloroon* (out of which they had expelled our *East-India* Company during this War) confirmed to them, whereby they became sole Proprietors of the *Spice-Trade*, as well in *Europe*, as other Parts of the *Indies*, *Arabia*, and *Persia*: And by this Article they were to have the Plantation of *Surinam* restored to them, because taken by Sir *John Harman* after the Treaty.

The 4th Article is, *That all Ships, Goods, and Moveables, which at any time had come into the Power of either Party, or their Subjects, should remain in the present Possessors thereof, without any Compensation or Restitution for the same, without any Exception of Place, Time, or Things.*

The 5th Article was, *That all Actions, Ships, and Pretensions whatsoever for the same, should remain void, obliterated, disannulled, and nothing moved thereupon hereafter.*

The 8th Article is, *That under the foresaid Renunciation, and Stipulation, all Letters of Mart, Reprisals, or Counter-Mart, general or particular, ought to be comprehended and revoked, by virtue of that Article accordingly, notwithstanding any Grant to the contrary.*

This was the Success of the King's Speech to the Parliament, upon his declaring War against the Dutch, that as he enter'd into the War for the Protection, Honour, and Safety of his Subjects, so without these he would not make a Peace: and this Benefit Sir *Edmund Turner* and Mr. *Carew* had of their Letters of Reprisal,

wherein the King granted, That they should stand good, notwithstanding any Peace to be made with the *Dutch*, until they had fully reprized their Debt of 151612 *l.* and Charges of Reprizal: nay their Agents were tried by a Commission out of the Admiralty for Piracy, for acting under the said Grant, the Silver Oar being carried before Sir *Lionel Jenkins*, who was very zealous to have hanged them; but the Common-Law Judges were of another Opinion, and so they did not lose their Lives, as Sir *Edmund* and Mr. *Carew* did their Debts: yet the *French* sped not so well as the *Dutch* in this Peace, being to restore all they had taken in the *Leeward Islands* to the *English*.

And now the Steed is stoln, the Stable-door is shut: for after the Peace, thousands of People were pressed in *London* to finish the Fort at *Sheerness*; and it being a terrible aguish Time, in an aguish Place, almost all fell sick, and it was deemed by many, that more died there than in all the *Dutch War*.

In this Consternation, 'twas necessary to do something to appease the Parliament and People, and so the King sends for the Seal from my Lord Chancellor *Hide*; which was no sooner done, but the Parliament were as fierce upon him as for the *Dutch War*. One of his intimate Friends told me, he took Counsel with his Friends, whether he should stay or leave the Kingdom; they all advised him not to stay; and so he left the Kingdom, yet fell into more Danger than if he had not: for at *Diep*, a Company of rude Sea-men endeavour'd to have assassinated him. Thus fell this great Chancellor and Statesman; I do not say a Sacrifice for either King or People, having followed the King's Father in all his Wars, and himself in his Exile: yet he lived to see two Lord Chancellors in *England*, and two Lord Keepers alive at the same time (no Argument of the Steadiness of Counsels after him:) Two were deposed as well as he; and the third, with much ado, lived to die in the Place. A little before his Deposition (as if he had lived long enough) that great Standard of Loyalty and true Nobility, my Lord Treasurer *Southampton*, died; but sure so upright a Chancellor, or two such honourable Counsellors and Statesmen, for their Integrity to the *English* Interest, and great Understanding in State-Affairs, have not since succeeded: but they were but two to too many others, and the King's Inclinations were towards the other side; so as neither he, nor my Lord Treasurer *Southampton* were present at the Council when the War was declared against the *Dutch*: But this Power was in the Wain, and the Torrent ran to other way.

It was time for the *Dutch* to make Peace with *England*; for this Summer the *French* King, with a mighty Army, was fallen into *Flanders*, and like a Torrent, had ravaged *Artois*, *Hainault*, and other parts of the *Spanish Netherlands*, and taken *Charleroy*, *Oudenard*,

Acth,

Aeth, Courtray and Lifle. But that we may take a better View of this War we must look back.

In the Year 1612 there was a cross Marriage between *Lewis XIII.* of France and *Philip IV.* of Spain : *Lewis* married *Ann*, *Philip's* Sister, and *Philip* married *Elizabeth*, *Lewis* his Sister : By *Elizabeth* *Philip* had *Don Belthazar*, and the *Infanta* married to the French King by the Treaty of the Pyrenees.

In the Year 1649 (*Elizabeth* of France being dead) *Philip* married *Ann* the Daughter of *Ferdinand* the Third, Emperor, *Philip's* own Niece, by whom he had *Charles* the now King of Spain. I do not find whether *Don Belthazar* was dead before the French King married his Sister, but *Charles* the now King was born about Nine Months after the Pyrenean Treaty.

By the Pyrenean Treaty, the French King, by all that they call sacred in the Church of Rome, and by all the Clauses the Wit of Man could express to avoid Evasion, disclaimed all Right or Title to Spain, or any part of it, in the Right of the *Infanta* ; and *Philip* dying in the Year 1665, the French King did engage his Faith and Royal Word to the Queen by the Marquess *De la Fuente*, that he would Religiously keep the Peace, and continue a faithful Friendship with her and her Son during his Minority ; nay, after the Eruption by the French into Flanders, the Arch-Bishop of *Ambrun* did, in *Verbo Sacerdotis*, protest and vow to the Queen, that his Master (the French King) would never break with the King of Spain, or invade his Dominions during his Minority.

By this time the *Dauphin* (I think) was about Six Years old, and his Father, to cover his Hypocrisy and Perfidy, pretended that the Women of *Brabant*, by the first Venter, inherit before the Males of the second : but you shall see *Brabant* flow over all the Spanish Netherlands ; and therefore no Act of his could preclude the *Dauphin*, who was born of *Elizabeth*, *Philip's* first Wife ; which vain Pretension was thoroughly confuted by the renowned States-man, the Baron *de Isola*, in his excellent Treatise termed *The Buckler of State and Justice*.

However, about four Days after the Arch-Bishop of *Ambrun's* Protestation, the Queen of Spain had notice of a Manifesto published by the French King, that he had so fully proved his Son's Title, that he did not think himself obliged to spend any time in unprofitable Contests about it ; yet not to make War, but to take Friendly Possession of what was so justly due to the *Dauphin*.

Never was Spain at so low an Ebb, and unable to make Opposition to the French, as at this time : for besides our King's giving up *Dunkirk* to the French, and the breaking of the Spanish Army at the Fight at *Elvas* in Portugal, which should have defended Flanders, the War still continued there, where the French by a Treaty with

with *Portugal*, (contrary to the *Pyrenean Treaty*) were to have all the Port Towns taken from the *Spaniard*: The *Buchaneers* at *Jamaica* plagued the *Spaniard* in the Returns of their Plate-Fleet, and plundered and fired many of the *Spanish* Towns upon the firm Land: And *Don John* (the King's Bastard Brother) and the Queen, were at highest Discord about her Confessor *Nitard*, so as *Don John* refused to accept of the Government of *Flanders* again to oppose the *French*.

Here 'tis observable how much the *French* King's Ambition prevail'd beyond his Zeal to Religion; for in 1665 and 1666, the *Irish* had been treating with him, to send an Army into *Ireland* to assist the *Irish* in a designed Rebellion against the King, which this Year was brought to Maturity; and the *French* King promised to send them Forty Thousand Men to land on *St. Lewis's* Day, in *August*: But he kept his Promise no better with them to assist them, than he did his Oath at the *Pyrenean Treaty*, not to assist the *Portuguese*, and to the Queen Regent in *Spain*, not to invade any of the *Spanish* Dominions during the Minority of the King.

The King either stung with the Success of his Mother's Assurance, that the *Dutch* would put out no Fleet this Year, or at this time angry with his Brother of *France*, for the Ravages he had made upon the *English* in the *West-Indies*, whereby the King's Customs were much lessened; or it maybe, having some Seeds of the wholesome Counsels which the Chancellor *Hide* and Treasurer *Southampton* had infused into him, how dangerous it would be to *England* as well as *Holland* for the *French* to make a Conquest in *Flanders*; sent to Sir *William Temple*, his then Resident at *Brussels*, to take joint Measures with the States for restraining the Progress of the *French* Conquests in *Flanders*: This was in *January* 1667.

The *French* Progress in *Flanders* more nearly concerned the *Dutch* than the *English*; the *Spanish Netherlands* being the Barrier to secure the United *Netherlands* from sinking under the Power of *France*, and therefore the *Dutch* States readily complied with Sir *William's* Proposals, and Sir *William* waited upon the King to give him an Account of his Negotiation; and within 5 Days after was sent back with Powers to conclude a stricter Defensive League than that at *Breda* between *England* and *Holland*; either by Mediation or Force, to stop the further Progress of the *French* Army in the *Spanish* Provinces: And because the *Swedes* soon after entred into it, it was called the Triple Alliance. This preserved what the *French* had left untaken, and the *Spaniard* was forced to sit down by the Loss.

But whatever the *Spaniard* lost by the *French* Ravages, the *English* gained this Benefit by it: That one *Brewer* (whose Parents were said to be *English*) with about fifty *Walloons*, who wrought and died Fine Woollen Cloths, came into *England*; and the King, after

after the Example of two of his wisest and most renowned Predecessors, *Edward III.* and *Queen Elizabeth*, entertain'd them against our Barbarous Law, or rather Usage, against Foreigners partaking the Benefit of Natural-born *English*; and by them the *English*, in a few Years time were instructed to make and dye fine woollen Cloths cheaper by 40 *l. per Cent.* than they could do before; not only to the Benefit of the *English* at home, but in foreign Vent abroad; which before the *Dutch* had.

I think it was this Year the *French* fell into the *Franche County* of *Burgundy*, and took *Dole* and *Besançon*: but this being a Barrier to the *Swiss* against the *French* Power, as the *Spanish Netherlands* are to the *Dutch*, the *Swiss* recalled their Subjects out of the *French* Service, and ordered the levying Sixty Thousand Men to expel the *French* out of the County of *Burgundy*: and now it was not time for the *French* King to contend against the Triple League, and the *Swiss* too, so he gave up *Dole* and *Besançon* again to the *Spaniards*, and withdrew his Forces out of the County. Thus was *Spain* saved by others when they could not help themselves.

The banishing the Chancellor *Clarendon* did palliate, but the Triple League reconciled all Difference between the King and Parliament, as if no *Dutch War*, or Miscarriages had been; and for the Triple League, they granted the King a Treble Supply, viz. 20 *Car. II. c. 1.* 301000 *l.* upon Wines and Liquors: Secondly, an additional Duty of 8 *l. per Tun* on *French* Wines, &c. and 12 *l. per Tun* on *Spanish* Wines for eight Years, which amounted to 560000 *l.* this was the 22 *Car. II.* And also, cap. 3. an Act for sale of the Fee Farm Rents to the Value of 1300000 *l.*

An. Dom. 1668.

But you'll see these dear bought Joys soon will fade, for the great *Clarendon* and noble *Southampton* now are gone, and another Generation is springing up, and that with such forward Growth (as all Weeds do) that upon the Joy of the Triple League, the House of Commons having given the King the 301000 *l.* Mr. *Clifford* (after Lord Treasurer) in April following told a Friend of Sir *William Temple's*, that for all this great Joy, it must not be long before we have another War with *Holland*; and this very Year a *French* Man gave my Lord *Arlington* the Design of laying another *Holland's War*, and the Advance of it by the Practice of Monsieur *Colbert*, upon the Ministers of our Court.

An. Reg. 21. Dom. 1669.

However the Devil will play at small Games rather than stand out: for now the *French* King's Hands are tied up by the Triple League and

and Treaty at *Aix la Chapelle*, from taking more Towns in the *Spanish Netherlands*: Yet he exacted great Contributions from the Dutchies of *Limburgh* and *Luxemburgh*, and confiscated the Estates of those in his Conquests, who would not forswear their Allegiance to the King of *Spain*, and endeavoured to surprize the Town of *Hainault*. And tho by the *Pyrenean Treaty* the Duke of *Lorraine* was to be restor'd to his Dutchy; yet the Duke, tho a Friend to the King, was rejected from entering into the Triple League, which he endeavoured, and therefore incurred the *French King's* Displeasure, who in the Year 1669, seized upon the poor Remainers of his Country, and ordered one of his Generals to seize his Person, and bring him either dead or alive. And tho by the Treaty of *Breda* the *French King* was to restore the *English* to their Plantations in *St. Christophers*, which the *French* had taken from them, yet hitherto he refused to do it.

In this trifling, which the Hector of *France* did only to keep his Hand in ure, he did not sleep otherways; the Triple League stuck sore in his Conscience, which, unless broken, would set Bounds to his boundless Ambition: In its infant State Monsieur *Colbert*, in the first Year, had made some Steps towards it; but the next Year made such Advances, that he had almost brought the Destruction of it to Perfection: To facilitate this hopeful Project, *Madam*, the King's beloved Sister, came in *June* 1670, to *Dover*, with full Powers to conclude this desired Business.

The King was not long behind, but with equal Desire, and extraordinary Affection, meets his Sister, where all things are concluded, which, tho as dark as Hell, yet were as secret as Witchcraft, which would have no Light, but by their Consequences: and that this well-laid Design might not be forgotten, the Princess left her Woman, *Madam Carmel*, after Dutches of *Portsmouth*, with the King to put him in mind of it: but the Princess was unhappy in this; for Monsieur her Husband entertained a furious Jealousy in his frantick Brain, that something else besides this hopeful Project was designed by the Princess; so that though she were in perfect Health, and never more pleased than when here, yet, upon her Return, she in the Glory of her Age, but Twenty six Years old, died suddenly, so that the Cause of her Death was as dark as the Design she came for.

But there is neither Sister, Father or Mother with Kings and Kingdoms: The sudden Death of *Madam* put no stop to the ratifying the Business she came for, but the Marquess of *Bellefonds* is sent hither, and an honourable Person is sent into *France*, for both Kings Ratification of it.

Hereupon the *French King* descended from his Stiffness, and delivered the *English* their Grounds in *St. Christophers* to Sir *Charles Wheeler*,

Wheeler, yet destroy'd all the Plantations, plundered and carried away all that was portable, laid the whole Country waste, and left it in a much worse Condition than if it had never been planted.

The French King by his *English* Pensioners, did not only keep the Emperor and Duke of *Lorain* out of being desirous to enter into the Triple League, but he enters into a stricter League with the Arch-bishop of *Collen*, and the Bishop of *Munster* (two Princes of the Empire) against the *Dutch*, and now began to fit out a greater Fleet of Men of War than ever any French King did before: Nor were the *Dutch* behind-hand, but made proportionable Advances, not doubting but the King would make good his Proportion, according to the League so lately made between the King and them, in case the French King made any Attempt upon them.

Upon the 24th of *October* 1670, the Parliament met again, and notwithstanding all the Aids granted the King in *April* before, my Lord-keeper *Bridgman* told the Parliament the great Care his Majesty had of them and the Kingdom since their last Recess, and that besides the triple Alliance, he had made many advantageous Alliances, both for Security and Profit of Trade with the *Swede*, *Dane*, *Spaniard*, and Duke of *Savoy*: But since the *Dutch* and French made such vast Naval Preparations, it was necessary for the Safety and Honour of the Nation, that the King should at least keep equal Pace with them, which could not be done without great Supplies, which must be speedily granted; for the King intended to put an End of this Session before *Christmas*: but the Success of this Speech so ill agreeing with the Premises, it was not permitted to be printed, yet you may read it at large in *Mr. Marvel's Growth of Popery*: But whatever Treaties of Commerce were made with other Princes, the Keeper finds none with *France*, where neither the advantageous Treaty made by *Oliver* was observed, nor any new one made, but the French King did use the *English* with all imaginable Oppressions, without any Redress from the King.

However, this Speech wrought so pathetically with the Parliament, that they gave the King one Shilling in the Pound of the real Value of all the Lands of *England* for one Year, and an Additional Excise upon Beer and Ale for six Years, and the Law-Bill for nine Years; which three Bills were computed at two Millions and a half.

And now this dark Design, founded in such deep Diffimulation, Hypocrisy, and Perfidiousness, as *Oliver Cromwel* would have been ashamed of and blush'd at, begins to receive Light: For, the Parliament having granted the King the Aids, were in Consequence prorogued, and did not meet to act till the fourth of *February* 1671. But in regard that not only the extirpating the Protestant Religion, but

but the Subversion of the Western Parts of *Europe* was now designed, which extended as far as the *Baltick* Sea, and the Bounds of the *Turkish* and *Tartar* Empires, we will be a little particular in it. But what is most amazing is, that the King, in appearance a Protestant, and a free independent King, so used by the *French* King in his Exile, and since his Restoration, should be so forward in joining with a Faithless and Boundless Ambitious Neighbouring Prince, which if his Design had succeeded, had involved the Kingdoms of *England*, *Scotland* and *Ireland* in the same Condition with the rest of *Christendom*.

The Vizard-Mask under which the Popish Parry covered their Hypocrisy, in propagating their Catholick Cause [for plain-dealing must never be expected in it] in King *Charles* the First's time, was *Arminianism*, which then had the Ascendant in *Laurel's* Regency: but since the King's Restoration the Protestant Dissenters being so fiercely prosecuted by the Parliament, it was judged that the dispensing with Penal Laws against Dissenters from the Church of *England* would conjoin the Protestant Dissenters Interest with the Popish; and this not only appeared by Practice, but by Design in *Coleman's* Letters to *Father Ferrier* and *La Chaise*, the *French* King's Confessors.

As before the first *Dutch* War, the King issued out his Declaration of Indulgence for dispensing with the Penal Laws in Ecclesiastical Affairs in the Interval of the sitting of the Parliament, so did he before the second War. It seems to me that the Designers of this War got some secret Oath or Promise from the King that he should not do the like again; for the King told the House of Commons he would stand by his Declaration of Indulgence, and sure nothing but *Queen Money* would have got him off.

However, these Conspirators were more zealous than politick; for before the King issued out his Declaration of Indulgence in *England*, upon the 26th of *February* 1671, he issued out his Proclamation in *Ireland*, wherein he granted general Licence to all Papists to live in Corporations, exercise Trades there, and enjoy the same Privileges as other Subjects ought to do; which was a greater Privilege than his Protestant Subjects had, for by their Charter, all who were not free of the Corporations could not have the Benefit of their Privileges.

But that the Catholick Design might take deeper Root and Continuance, the Duke of *Tork's* Sons being dead, and the Princesses his Daughters being bred up in the Protestant Religion, Care must be taken to establish the Popish for the time to come; for which it was expedient the Duke should marry some Popish Princess, and to this end the Arch-Duchess of *Inspruck* was propounded, and a Treaty entred into upon it.

But tho the Princess's Religion pleased the *French King*, yet the Interest this Marriage would bring with it did not: So that tho the Treaty were far advanced, yet the *French King* (who ruled all the Roast) propounded the Princess of *Modena* (the Daughter of a little *Italian Prince*, and a Dependant of the *French King's*, yet had a great Interest in the Court of *Rome*) and this, against all Endeavours of the Parliament, and to the Dishonour of the Treaty with the Arch-Dutchess, prevailed, the *French King* having adopted her a Daughter of *France*, and given her a Portion.

But while these Designs are laid in the dark here in *England*, the *French King*, bare-faced by his Ambassador at *Vienna*, in a solemn Speech declared, that his Master had undertaken the War against *Holland* for propagating the Catholick Cause, and that all good Christians were bound to join with him to extirpate Heresy, and that he would restore all his Conquests to re-establish the true Worship banish'd out of the *Holland's* (meaning the *United Netherlands*) Territories, which you may read more at large in Mr. Secretary *Trevor's Appeal*, &c.

Now let's see how agreeable these Mens Morals were to their Religious Pretences in laying the Scene for this designed *Dutch War*. The Treasury, since the Death of my Lord Treasurer *Southampton*, was managed by Commissioners; and if the Aids granted by the Parliament were not sufficient for carrying on the King's Designs, the *French King* is to supply him further: but things were not ripe enough yet for these Monies to be returned into the *Exchequer*, lest they might give cause of Suspicion; and therefore between six and seven hundred thousand Pounds were received by Mr. *Chiffins*, he to have two Pence in the Pound, to be disposed of as the King shall order. If you doubt this, you may examine Mr. *Chiffins's* Accounts when he was advised to pass them, and take his *Quietus* out of the *Exchequer*.

Tho by the Defensive League between the King and States when the Triple League was entered into, the King and States were mutually engaged to supply each other with a certain Number of Men and Ships in case of any Foreign Invasion upon either; yet now the King hath Subsidies given him by the *French King* to join with him against *Holland*, which by the Defensive Alliance the King was obliged to assist.

The King who was so great in the Love of his Subjects and Parliament for the Triple League, and had received such vast Sums for it, now at the Instance of the *French King* sends Mr. *Henry Coventry* to the Court of *Sweden* to dissolve it, which he did so effectually, that that King not only stood Neuter at the beginning of the War with the *Dutch*, but in it joined with the *French King* against the Confederates; and this Success Mr. *Coventry* had, that for this Business which put all *Christendom* into a Flame, he was

was by the King made principal Secretary of State, and it may be presented with his fine Ranger's Place in *Enfield-Chase* too, and that perhaps with thrice more by the *French King*: Whereas *Sir William Temple*, who was the principal Instrument in the Peace at *Nimeguen*, lost 2200 *l.* by it, and his only Recompence was to be Secretary of State in *Mr. Coventry's* Place, if *Sir William* would give him 10000 *l.* for it.

The Triple League thus dissolved, all Obstacles which might retard the Progress of this pious Work must be removed: And now my Lord-keeper *Bridgman* having done by his Speech the Conspirators Work for Money, has done his own too, and is turn'd out of his Place; and my Lord *Ashley Cooper*, Chancellor of the *Exchequer*, is made Lord Chancellor of *England*, and Earl of *Shaftsbury*; *Mr. Clifford*, (after Lord *Clifford*) Lord High-Treasurer of *England*, and my Lord *Arlington* Chamberlain to the King's Household, and Prince *Rupert*, the Duke of *Ormond*, and Secretary *Trevor* discarded from the Committee of Foreign Affairs; so as the *CABAL*, viz. *Clifford*, *Ashley*, *Buckingham*, *Arlington* and *Lauderdale* govern all.

The first Result of this sacred Conclave, was the shutting up of the *Exchequer*, wherein the Bankers (who formerly had furnished the King with mighty Sums of Money at extorsive Interest) had lodged between 13 and 1400000 *l.* of the Subjects Money; this was in *January* 1671. One would think these Monies added to the Aids granted in the last Session of Parliament, with those received from *France*, might have carried on the War against the *Dutch* on the King's Part; but to make sure, the Fleet for which the Parliament gave such vast Sums, to be equal with the *French* or *Dutch*, is set out under *Sir Robert Holmes* to surprize the *Dutch Smirna-Fleet*, which he vainly attempted the thirteenth and fourteenth of *March* 1671; and to sanctify so Heroick an Act, at this very time the Declaration of Indulgence was printed and published the fifteenth.

The *French King* having gotten the King into his Net, let's see how he used him: The *French King* openly declar'd, that 'twas none of his Quarrel, and that he only engaged in it out of respect to his Person, and therefore before any War was declared, the King must first break the Peace, by the Attempt upon the *Dutch Smirna-Fleet*.

The *Dutch*, alarm'd at the Attempt upon their *Smirna-Fleet*, and being in no Condition to resist both Kings, sent Deputies to both to know upon what Terms they would agree to Peace: Those sent to our King were denied Audience, and kept at *Hampton-Court* till it were known what the *French King's* Pleasure was; but those sent to the *French King* had Answer, That what the King had was his own, and what he should conquer should be his without

an Equivalent, and declared the *States* might deal with *England* as they pleased, and come off as cheap as they could, because by their Treaty they were not bound to procure them any Advantages. Yet, all this the King as patiently submitted to now, as before he suffered one *Marfilly* to be broken on the Wheel at *Paris*, without one word from him in his behalf, for being his Agent to the *Swiss*, to invite them to join in the *Guaranty* of *Aix*; who upon the Scaffold had twenty Questions asked him in relation to his Majesty's Person, and a strict Enquiry of the Particulars that passed between the King and him; all which you may read at large in Mr. Secretary *Trevor's* Appeal: And this pitiful Story you may find in a little Treatise termed *Colbert's Ghost*, printed at *Cologne*, 1684.

I find little difference in the Causes of this War by these two Kings. The *French* King's was, that the *Dutch* had acted in Diminution to his Glory, but says not wherein. The King of *England's* was, the *Dutch* had not yielded him the Honour due to his Flag.

The *Cabal* sought for a fourfold Cause of this War, the Insults upon the *English* in the *East-India* Trade, the detaining the *English* Planters in *Surinam* against the Treaty at *Breda*, and horrid Pictures in Defamation of his Majesty, and his Flag.

To this purpose the Committee for the *East-India* Company was summoned to shew Cause: who answer'd and gave it under their Hands, That since the Treaty at *Breda* they knew no Cause, nor as yet the *Dutch* could pretend to no more than was granted by it, they having not as yet assisted the young King of *Bantam* against his Father, and made use of the young King's Name to expel the *English* Factories from the Pepper Trade, as before they had the Spice Trade.

For detaining the *English* Planters in *Surinam*; it was answer'd, the Planters were not willing to forsake their Subsistence, and be turned into the wild World to seek it; and that the *Dutch* perform'd their Part with Mr. Secretary *Trevor*, and therefore it was no fault of theirs if it were not observ'd; nor did they hinder them when they were transplanted to repair the Ruin of the *English* Plantation in *St. Christophers* made by the *French*.

For the Pictures the *Dutch* answered, they knew of none, except one Medal, which might be liable to any such Construction; but so soon as they knew of it, they caused the Stamp to be broken.

For that of the Flag, the Case stood thus: the *Dutch* having fitted up a Fleet of Men of War in jealousy of the *French*, were riding near their own Coast, when one of the King's Yachts discharged a Gun at the Admiral to strike Sail; which the Admiral not doing, was the cause of the Breach for the War, tho the *States* disown'd the

the Refusal, and offer'd to make any Satisfaction the King should require. But it is the End which crowns the Work in every Act, and therefore the Declaration concludes, *That notwithstanding this War, the King will support the Treaty at Aix la Chapelle according to the Scope and Intent of it, and preserve the Ends of it inviolable: As if the getting the Swede out of it, and joining with the French against the Dutch, diametrically contrary to it, were the Support of that Treaty; or that the subduing Holland, so that the French should be Lord on both sides of the Spanish Netherlands, could be to protect them against the Power of the French. Good God! Did these Men believe Heaven or a God! But all Moral Vertues, and whatsoever may be called sacred, must give way to the Advancement of the Catholick Cause.*

By this time the French King by the Benefit of the Act of Navigation, Oliver's Peace with France, and War with Spain, our King's supine Negligence, and the Addition of twelve great Men of War built by the Dane and Dutch in the former Dutch War, had got a Navy equal to the Dutch or English; yet how to damage or destroy these, and to instruct his Men to fight, is the French Game now to be play'd: And therefore for this time the French permitted the English to have the Red Flag, and the French were content with the White: Yet here it's observable, That in all the former Fights with the Dutch, when the French and Dane joined against the English, except that when the Fleet was divided, the English put the Dutch to flight; whereas in all the Fights (which were four) wherein the French joined the English, the English came off with more Loss than the Dutch.

Things thus order'd, the Duke of York was Admiral of the Red, or the whole Fleet, Monsieur D'Estree of the White, and my Lord of Sandwich of the Blue: And thus they rode at Anchor in Sould-Bay the 28th of June 1672, the Wind blowing at North-East, a stiff Gale: And upon that day there was a mighty Sacrifice to Ceres and Bacchus on board the Fleet by the Flag-Officers; and at the same time, the other Captains in imitation of their Admiral, went on Shoar to perform the same at Alborough, Dunwich, and Sould.

In their Jollity on Board, my Lord Sandwich (not at good Terms either with the Duke or with the French) said, that as the Wind stood, the Fleet rode in danger of being surprized by the Dutch, and therefore thought it adviseable to weigh Anchor, and get out to Sea: The Duke retorted upon him, as if this had been said out of Fear, which the next day 'twas thought was the loss of the Earl, and the brave Ship the Prince Royal.

The Sacrifice ended, and when all were *Vino somnoq; sepulti*, the Thunder of the Cannon of the Scout-Ships about two in the Morning, gave Notice that the Dutch Fleet was approaching to call the English to an account for their Yesterday's Jollity.

Now all things were in Confusion, our drowsy Officers were in no case to go to Counsel, nor had time for weighing Anchor, the Cables therefore were cut to avoid being burnt by the *Dutch* Fire-Ships, and the Long-boats were sent near the Shoar to wait upon their sleepy Officers. Here was no time to draw into a Line of Battel, but it happened that about four in the Morning a Calm fell, which continued till after six; whereby the Captains had time to get on Board, tho not to consider how to fight: And I have heard experienced Sea-men say, if this Calm had not happened, the whole *English* Fleet had been in danger to be stranded or burnt.

The Coast of *Sould-Bay* lies near North and South, the Northmost part inclining into the East, called *Eastonneß*, being the most Eastern Part of *England*, but towards the South it inclines into the West.

The *French* lay South, the Duke's Squadron in the midst, and my Lord *Sandwich* on the North; so as the *French* had most Searoom, and the *Blue* least.

When the *Dutch* engaged the Fleets, the Wind was South-East; and the *Dutch* did not fight close with the *French*, yet the *French* shot furiously, but their Shot fell short: But with great Courage the *Dutch* fell upon the Duke's Squadron, and more fiercely upon the *Blue*, the *Dutch* having near one third more than the *English*; and thus the Fight held till about 11, when the *French* by this time might have weathered the *Dutch*, and disengaged the *English*, but did not: Now the Wind had got North-East, and *Van Gent*, the *Dutch* Vice-Admiral, with three Men of War, whereof one lay across his Haulser, sorely distressed my Lord *Sandwich*, when Sir *Joseph Jordan* (Vice-Admiral of the *Blue*) who might have disengaged the Earl, failed to the Red to assist the Duke, and it's believed the Earl might have done so too, if his great Spirit could have digested his yesterday's Taunt: So this noble Earl and his brave Ship perished, with many young Gentlemen besides Mariners. Towards two the *English* got the Weather-gage of the *Dutch*, and then the Fight ended; nor did the *French* serve the *English* better in any of the other Sea-Fights, which let others tell, I have had enough of this.

Tho the *Dutch* could thus cope with the *English* and *French* at Sea, yet they found another kind of Task of it by Land: And let's look back a little, and see how this Calamity came upon them; and some things we are necessitated to resume here, tho mentioned before upon another occasion, to make Matters more plain and obvious.

There is no Man conversant in the Stories of those Times, but understands that the Foundation of the *Dutch* States was laid by *William* Prince of *Orange* (Father of *Maurice*, and *Henry Frederick*,
H h Grand-

Grand-father of King *William*) who and his Brothers all lost their Lives in establishing it, with the Assistance of Queen *Elizabeth*.

Queen *Elizabeth*, however she made use of the *Dutch* to curb the aspiring Dominion of the *Spaniard*, knew their Nature so well as never to trust them, and therefore bridled them by keeping the *Brill*, *Ramakins* and *Flushing* (the Keys of the *Maeye* and *Scheld*) in her Dominion.

The Queen in assisting the *Dutch* made one Article, That two such *English* Men as she should name, should sit and vote in their States. But the *Dutch* growing mighty by her Assistance, and withal ungrateful, formed a private Cabal at *Amsterdam*, where they managed all the secret Affairs of their State; and in this *Barnvelt* was the Head.

The Queen incensed herewith, in the Year 1598 called the States to an account for all the Monies she had expended in their Support, which was 8000000 Crowns, or two Millions Sterling; the *Dutch* pleaded Poverty, and their Inability of Payment, and beseeched her, that as she excelled all others in Glory and Power, so she would continue her Mercy and Pity to these distressed States.

The Queen answered them, *She had been often deluded by their deceitful Supplications, and ungrateful Actions, and pretences of Poverty, and that they bare no Reverence to Superiors, nor took any Care but for themselves.*

The States were confounded with this Answer, and to appease her, promised to pay her the whole Debt after the War, and during the continuance of it to pay her 100000 l. per Annum, and that the *English* Garisons in the *Brill*, *Ramakins* and *Flushing*, should be paid by the States.

The Queen, tho not much trusting the States, yet wisely considering, that if she refused these Offers, the States might alter, and put themselves under the Protection of *France*, now at Peace with the *Spaniard*, by the Peace at *Vervins* the Year before, or that they might make a Peace with *Spain*, whereby she might lose the whole Debt, and Dependance the States had upon her, accepted their Terms: But I do not find they ever performed any of them, except the Payment of the *English* in Garison in the Cautionary Towns, which how well they observed this, when they found it their Interest not to do it, has been said before.

For in the Year 1609, the *Dutch* made a Truce with the *Spaniard* for eleven Years, when *Barnvelt*, *Hugo Grotius*, &c. (Heads of the *Lovestein* and *Arminian* Faction) conspired how to get rid of the *English* and Prince of *Orange* (by whom the *Dutch* became States.) It's said before how easily in King *James* the First's Reign they got rid of the *English*; but their Attempt upon the Prince

not

not succeeding, *Barnvelt* lost his Head, and *Grotius* had lost his too if he had not fled the Country.

But tho *Barnvelt's* Head was cut off, the Faction did not die with it; for after the *Dutch* had made Peace with the *Spaniard*, at the Treaty of *Munster* 1648, tho in the Life of the then Prince of *Orange* (the King's Grandfather, and the most Renowned General of the Time) the *Lovestein* Faction stirred not, yet he dying within the Year after the Treaty, (I think) they began to play their Game against his Son, a Prince of Lively and Active Courage, about twenty two Years of Age; and after the Example of *Barnvelt*, laid their Foundation by disbanding the *English*, by whose Blood and Valour, under the Conduct of three Princes of *Orange*, they became States.

The Prince, if he suffered this, foresaw his Authority was next struck at, therefore resolved to prevent it, and to be before-hand with the Conspirators at *Amsterdam*, where the Scene was laid; and in great Silence marched within three Hours march of *Amsterdam*: but the Weather being dark and foggy, the *Hamburg* Post past by the Prince undiscover'd, and gave the Burghers account of the near Approach of the Prince, whereupon they opened their Sluices, and by drowning the Country, stopt the Prince's March, whereby he not only lost his Design, but his Life; for upon the 24th of *October* 1650, he died, they say of the Small Pox, leaving the Princess big with Child of the now King *William*.

Now had the *Lovestein* Faction a fair Field to play their Game in, and so the *English* were disbanded; and having the *Rump* in *England*, who would be accounted States as well as they, they thought all cock-sure; for they were sure the *Rump* would take as much Care to keep out the King, as they to suppress and depose the Prince of *Orange*, born after his Father's Death.

But tho the *Lovestein* Faction thought they had a sure Game against the Infant Prince, they found they had a hard Task to play their Game against the *Rump*, who next Year made War upon them; and tho the King offer'd to assist them against the *Rump* with the Fleet Sir *William Batton* had brought over to him, yet such was their Aversion to any thing which they thought might tend to the Benefit of the Prince, that they refused the King's Assistance, and so had been rooted out from being a State, if *Oliver's* Design of keeping out the King, as well as the Prince of *Orange*, had not prevented it.

After the *Dutch* made Peace with *Oliver*, being before at Peace with *France*, *Spain* and the Empire, they now set all their Wits to work to establish their Commonwealth without the Prince of *Orange*; and to make sure work, God's sacred Name must be prostituted to establish their Ambition, Pertidiousness and Ingratitude, by swearing never to admit of a Stadtholder; nor did they

stay here, but imposed the same upon the Prince: The Success you'll soon hear.

In this seeming Prosperity, they made *John De Witt* (a Fellow as arrogant and insolent as ungrateful, factious, and imitating French Modes) Pensionary, or rather Dictator of *Holland*; whose chief Business was to depress the Prince, thereby arrogating so much more to himself as he debased the Prince and his Authority; and so intent he was hereon, that he neglected to take care of the Military Discipline which was exercised in the United Provinces, whilst they continued in War with *Spain*; and in all their Garrisons (especially those upon the *Rhine*) instead of the old experienced Governours, *De Witt* and his Faction put in Burgomasters Sons, and Favourites of their Faction opposite to the Prince.

Now you shall see *De Witt* and his Faction outwitted by the French, and by the same Artifice, by which they had outwitted our King and his French Counsellors.

For *De Witt* having lull'd the King into the Security of a deceitful Peace, whereby the Dutch got the Opportunity of Firing our Ships at *Chatham*, and then the Peace at *Breda*, and after having gotten the King into the Triple Alliance, *De Witt* ascribed the Glory of all these to himself, and became so insolent hereon, that he became intolerable to all but his own Faction.

The French King coop'd up by the Triple Alliance, used his Finess to break it; his Pensioners in *England* represented to the King the Insolence of *De Witt* and the Dutch, upon the Treaty at *Breda*, and it may be more than was true; and how that the French King had by the Treaty restored what he took from the English in *St. Christophers* during the War, whereas the Dutch still detained *Polloroon*, and *Surinam*, though taken in the War; and how dishonourable it would be to the King not to vindicate his Honour herein, and how ready his Brother of *France* would be to assist him in it. These Councils had the Effects before shew'd.

In all this Time the French King entertained a Treaty with the Dutch, to be a Mediator between the English, and them, about their settling Trade and Commerce, but especially in the *East-Indies*; and the Dutch embraced the overture, wherein the French were no more sincere, than the Dutch were with the English in the Year 1667, before they fired our Ships in their Harbours.

The Dutch lull'd into Security by this Treaty, made no Preparations by Land against the French, either by raising an Army, or fortifying their Garrisons.

Whilst the French King was thus wheedling *De Witt* and his Faction, he corrupted one *Mondas*, (a French-man, and an Officer of War in the Dutch Service) who betrayed all he could learn or observe to the French King; and one *Desroches*, a Captain in the Prince

Prince of Conde's Guards, and a Kinsman of Mombas, prevailed with him the Winter before the War broke out, to take a Journey into France, fully to inform the King of the State of Affairs in Holland, and to take further Instructions from the King.

Thus the French King having made a strict Alliance with the Arch-Bishop of Cologne, and Bishop of Munster, (two implacable Enemies of the Dutch, for having filcht some Towns from them) secretly surprized the Dutch, and marched with a mighty Army to *Wife*, a small City upon the *Maer*, in the Bishoprick of *Liege*, where he staid a Fortnight for further Instructions from Mombas.

The Dutch now roused out of their stupid Security, to take Counsel what to do, the Prince of Orange's (though they had forsworn him Stadtholder, yet allowed him a Place among the States) Counsel was, to put ten Thousand Men into *Masfricht*, and to engaging with the rest at *Bodegrave*, whose Situation was most advantageous to cover *Holland*, and to abandon the rest of the Places above the *Rhine*: Monsieur *Opdam*, and *Celidreck*, who spoke for the Nobility, were of the same Opinion.

But *De Witt* and his Faction, (little versed in Military Affairs, scruled all the roast) would keep all or lose all, (and so they did;) and tho the Garisons upon the *Rhine* were weak, and ill provided, they made them much weaker, by detaching great Numbers out of them to put into *Masfricht*.

Mombas gave the French King an Account of all this, and how easily all the Towns upon the *Rhine* might fall into his Power.

The French King nicks the Opportunity, and passed the *Maer*, and easily put to flight some Troops which the Dutch had advantageously posted to oppose him, and came before *Orsoy*, which next day was surrendered to him.

From thence he marched to *Rhinburgh* and *Doffery*, both which surrendered, and *Doffery* without shooting one Cannon, for which the Governour lost his Head. *Wesel* was delivered to the Prince of Conde, after the Trenches had been opened for a day or two; and the Governour had a Sword passed over his Head by the Hangman, for making so feeble a Defence. *Barick* at the same time was taken by Marshal *Turenne*; and the Prince of Conde advancing, took *Deudekom*, *Rees*, and *Emerick*, with the same Facility as he had done *Wesel*. Thus you see these *De Witts*, (or without *Wits*) after their supine Negligence of preserving their Country for twenty Years, by their Ignorance, or stubborn Opposition to the Prince, made the French King's Passage more easy to destroy their Country.

Here the French Arms seem to stop, for the *Iffel*, by reason of its Depth, not only forbad the French a farther Progress, but the strong Retrenchments on the other Side, where the River is more fordable; when two Gentlemen of the Neighbourhood of *Tol-*

huys came to the Prince of *Conde* at *Emerick*, and promised to shew him a Passage over the *Rhine*, where there were but one Hundred Paces swimming. The Prince of *Conde* hereupon, sent the Count *De Guiche*, to try the Truth hereof, with the two Men, who brought the Count opposite to the *Tol-huys*, where plunging into the Water, the Count followed them, and found what they had said to be true.

The Prince hereupon acquainted the *French King*, who came that Night and supped with the Prince, and ordered his Army to march towards the *Rhine*, whither they came about half an Hour before day.

You have seen how easy a Conquest the *French King* made of all the Towns on the *Rhine*, by the Advice of these witless *De Witts*: now you shall see how by their Advice, they gave him as easy a Passage over the *Rhine*, to the Ruin and Loss of all their Up-land Towns, and Country on this side of it.

The Prince of *Orange* (who in this Exigence *De Witt's* Faction permitted to be General) not knowing the Man, sent *Mombas* with a Body of Horse and Foot to guard the Passage over the *Rhine*, those of the *Iffel* being already secured from the Passage of the *French*; but *Mombas* seeing this might prevent the *French King's* Passage, wrote to some of the Deputies of the States, that there was no Likelihood of the *French* passing the *Rhine*, but if they pleased, he would put himself into *Nimeguen*, where he believed they bent their March, which these Deputies ordered him to do.

At this time the Prince was gone out from the Camp with a Detachment, and upon his Return was surpris'd with what *Mombas* and the Deputies had done; and forthwith sent *Wartz* with some Troops to the *Tol-huys*, to intrench himself there; but though *Wartz* made all the Haste he could, the *French* appeared on the other side of the *Rhine*, which caused him to intrench his Infantry, and caused the Cavalry to advance along the *Rhine*.

The *French King* caused his Cannon to play upon *Wartz's* Cavalry, who sheltered themselves from the Shot, among the Trees upon the River, whilst the *French* passed it, though some were drowned in it; which *Wartz's* Cavalry did not hinder: but when they perceived some of the *French* Troops had come over, and began to form a Squadron, they came from the Shelter of the Trees; but instead of pressing upon the *French*, they made a Halt, and made their Discharge at so great a Distance, as did no Execution; and thereby gave the *French* an Opportunity of joining those who were before come over.

The Foot divided from the Horse, and discouraged by their base Cowardise, and not having time to intrench themselves, demanded Quarter, which the Prince of *Conde* granted, in case they laid
down

down their Arms. But the Duke of *Longueville*, advancing to the Brink of the *Dutch* Retrenchment, fired his Pistol, whereupon the *Dutch* discharged a whole Volley upon the *French*, and killed a considerable Number of them, whereof *Longueville* was one, and the Prince of *Conde* wounded.

Hereupon the *French* stormed the Trenches, wherein they found some Resistance, and put all to the Sword, but those who escaped by Flight; and took and plundered the Castle of *Tol-huys*, and put all the Isle of *Betue* under Contribution.

The Disaster of the *Dutch* ended not here, for the *Dutch* which guarded the *Issel*, fearing the *French* would fall upon them behind, fled from their Posts, and left the Passage free to the *French*; so as the King in Person took *Doesburg*, *Turesune*, *Nimeguen*, *Swoll*, *Daunter*, *Grave*, *Arnhem*, *Skinenshon*, and *Creveceer*; and the Bishop of *Munster*, *Coventer*.

Whilst the King besieged *Doesburg*, the Burgomasters of *Utrecht* surrendered the Keys to the King, who sent the Marquess of *Rockfort* to take Possession of it; who made such Haste, that he neglected to take *Muiden*, then abandoned, whereby he might have bridled *Amsterdam*.

Thus you see what a deplorable State the Ingratitude and Perfidiousness of these Men had brought their Country to; and you'll soon see that these Men who had sworn to exclude the Prince from being Stadtholder, shall themselves be deposed from being States, and no other visible Hopes left to free their Country from the Calamities which they had brought upon it, but by exalting this Prince, which they had formerly sworn never to do. And 'tis more observable, that both the *De Witts* were massacred by the Rage of the People, in whom the *De Witts*, and *Barnvelt* before them, placed all Sovereignty, and might do as they pleased.

To compleat the miserable Condition of the *Dutch* Provinces, the King had raised an Army commanded by Marshal *Schomberg*, (who had done what he could for the *French* in *Portugal*, the Queen Regent of *Spain*, upon the *French* Irruption into the *Spanish Netherlands* in 1667, having made Peace with *Portugal*) and Col. *Fitz-Gerald*, an *Irish* Papist, Major-General: The Business of this Army was, as the Vogue went, That since the *French* King could not get that part of *Holland* which was drenched by Fresh Water, to louse it with Salt Water, by cutting down their Sea-Banks; but *Ponit Homo*.

For the *Dutch Mob*, astonished and confounded with the Loss of their Country by Land, and opposed by Two the most Powerful Kings in the whole World by Sea, in a Rage assassinated the Two *De Witts*, *Cornelius* and *John*, as the Eetrayers of their Country, and the Caufers of this War, and depose the States, who

they thought were of the *Lovestein*, or *De Witts* Faction, and restore the Prince of *Orange* (now in the first Year of his coming to age) to the Command of his Ancestors, and make *Monfieur Fagell* Pensioner of *Holland*.

The Prince being the King's Nephew, and having never offended him, raised an Expectation in the People, and Fear in the *French* King, that the King would not suffer the Prince to fall into a worse State than the *De Witts* intended, by suffering the *French* to conquer *Holland*, whereby the Prince's Authority must needs be swallowed up. This the *French* King foresaw, and therefore to obviate it, the *French* King was the first who made Application to the Prince, and proposed to him the making him Sovereign of the *United Provinces*, under the Protection of *England* and *France*: (such a Protection was never heard of before) But the *French* King knew how to deal with his Brother of *England*.

It's admirable to consider, that notwithstanding the Conquest by the *French* of the other Provinces, and the Desolation of *Holland*, and the long Prejudices, even from his Cradle, against him by the *Lovestein* Faction, this Generous Prince in his most florid and ambitious Age, should out of his vertuous, innate Love to his Country, stand so firm to it, that his Answers were, *That he would never betray a Trust reposed in him, nor sell the Liberties of his Country, which his Ancestors had so long defended, and God so blest him herein.* But out of these Ruins shall this limited Prince arise, and put a check to the boundless and arbitrary Ambition of this designing *French* Universal Monarch, as his Ancestors before had to the *Spanish*.

The King it seems could not but see, that whilst he got nothing but blows by Sea, the *French* got all by Land; and therefore sent the Duke of *Buckingham*, my Lords *Arlington* and *Hallifax*, to the *French* King, keeping his Court at *Utrecht*, but with Instructions as secret and dark, as those of making the War: These when they came into *Holland*, were informed of the *French* Designs; and the King's Answer to their Deputies was, *viz.* That the King might treat as he pleased, but that what the *French* King had got, was his own; and that what he should get he would not restore without an Equivalent. Which raised such an Indignation in them that nothing would serve their turn, but destroying, at least mastering the *French* Fleet: And in this Humour they went to the Prince of *Orange*, and promised the same; and engaged to their utmost, to bring the *French* King to be satisfied with *Mastricht*, and of keeping Garisons in the Towns upon the *Rhine*, belonging to the Electors of *Brandenburgh* and *Cologne*.

From *Holland* Two of these proceed to the *French* Court at *Utrecht*, where the *French* Air changed their Minds they left in *Holland*, and about Four Days after sent word to the Prince of *Orange*, that

that the *States* must give Satisfaction to both Kings jointly, and that neither would treat separately; upon which the Prince desired to know what the Kings joint and respective Demands were, and of the new Agreement made by them, so contrary to their Promise to the Prince and States: Whereupon Mr. Secretary *Trevor* makes these Queries.

1. Whether they were sent to promote the French Conquest? If not, why, by making the Peace impossible, as far as in them lay, would they force the Dutch to submit to the French Dominion?

2. Whether they did not know that the French Demands alone had been rejected by the States, and that the granting of them would make it impossible for the Dutch to give the King any Satisfaction?

3. Whether having received from the Prince and States all imaginable Assurances of their Designs to return to the King's Amity, and to purchase it at any Rate they could, they could faithfully neglect these, and enter into a new Engagement, so prejudicial to England?

4. How far those who were joined in Commission, did concur in their Judgment; and whether these Considerations with many others, were not represented to them, and urged by some who desired to serve the King faithfully?

5. Whether or no it was for that Reason they opposed so fiercely my Lord Viscount Hallifax's (who came a Day or two after them) Appearing and Acting jointly with them, tho in the same Commission with them, in as ample a Manner as themselves?

6. Who were those who (after my Lord Hallifax could be kept out no longer) went privately to the French Camp under Pretences, and had Negotiations of their own on foot?

7. Whether they had order to call the French King King of France, and to name him before their Master, as well in the French Demands, as of his Majesty's, in all their Agreements which they sent to the Prince of Orange?

8. Whether they had Instructions to stand in the Behalf of the French upon the Publick Exercise of the Roman Catholick Religion in the United Provinces, the Churches to be divided to the Roman Priests to be maintained out of the Publick Revenue? And to bind the King's Hands, so that the French King may be sure of his Bargain, these Plenipotentiaries (Two of them) agreed with the French, that the King should not treat nor conclude a Peace with the Dutch without them: But the French King shall find no more Security here, than the Dutch and Spaniard did in the King's joining in the Triple League.

For

For the Support of this holy Catholick Design, stood my Lord Treasurer *Clifford*, and a new Band of Parliament-Pensioners, never before heard of in *England*, at Board and Wages: but these being a kind of Land-Privateers, are to tax the Country to pay themselves, and to do whatsoever shall be commanded, or no Purchase no Pay.

In this state of Affairs the Parliament met again the 4th of February 1673, when the Commons, like Men coming out of a drowsy Lethargy, began to consider the dangerous state of the Nation, and the dangerous Consequences of the severe Prosecution of Protestant Dissenters, by provoking them to join with the Popish; and therefore, tho they question'd the King's Declaration of Indulgence, and no Money was like to be had unless he recall'd it, yet upon the 14th of February, the Commons resolv'd, *Nemine contradicente*, That a Bill be brought in for the Ease of his Majesty's Subjects, who are Dissenters in Matters of Religion from the Church of *England*. And a Bill pass'd the House accordingly, but was stop'd in the House of Lords, (*Causa patet*) the dead Weight joining with the Caballing Party.

But whatever the Commons thought of the King's Dispensing Power in *England*, *Lauderdale* (the fifth in the Cabal in *England*) was of another Opinion in *Scotland*; for in the second Parliament c. 1. held by him, he gets an Act declaring, That by Virtue of the King's Supremacy, the ordering the Government of the Church does properly belong to his Majesty and Successors, as an inherent Right of the Crown; and that he may enact and emit such Constitutions, Acts, and Orders concerning Church-Administrations, Persons, Meetings, and Matters, as he in his Royal Wisdom shall think fit, &c. any Law, Act, or Custom to the contrary notwithstanding.

And that he might not be less active in *Scotland* than his Brother *Clifford* was in *England*, and *Buckingham* and *Arlington* were in *Holland*, being armed with these other Powers, he made all sorts of People depose upon Oath, their Knowledge of the Persons of Dissenters, not Popish Meetings, in the Exercise of their Worship, upon Penalty of Fining, Imprisonment, Banishment, and Transportation, to be sold for Slaves; imprisoning all outed Ministers who shall preach out of their Families, till they give Security of 5000 Marks *Scot*, not to do the same again; every Hearer, being a Tenant, to pay 25 *l. Scot*, and *Cotter* 12, *toties quoties* they shall offend; and that it shall be Death for any to preach in Fields or Houses where any are without doors; and 500 Marks Reward for any to secure such dead or alive: and gave Orders, That every Man, for himself and all under him, should give Bond, not to go to Field-Meetings, and to inform against, pursue, and deliver up all outed Ministers to Judgment.

The Execution of these Orders was not by legal Officers, but by an Army of *Highland Robbers*, who quartered upon the Country: so that it may be a Question, whether the *French King* did not take his Measures in his Dragoon-Reformation, by the ground-work laid by *Lauderdale*.

But his Grace (which it seems did work irresistibly) did not stay here; for his *Highland Army*, which consisted of eight or nine thousand Men, not only lived upon Free Quarter, upon all sorts of the King's peaceable Subjects, but in most places levied great Sums of Money, under the Notion of Dry Quarters: they had only regard to the Duke's private Animosities; for the most part of the Places where they quartered and destroyed, had not been guilty of Field-Conventicles. The King's Subjects were denounced Rebels, and *Captions* issued out for seizing their Persons, for not entering into Bond, That neither they, nor any under them, shall go to Field-Conventicles; and the Nobility and Gentry were disarmed, who had ever been faithful to the King, and assisted in suppressing Field-Conventicles. Indictments were delivered in by the King's Advocate in the Evening, to be answered next Morning upon Oath, otherwise they were to be reputed guilty. These and many more of this kind, in the Matters relating to *Lauderdale's* Administration of Affairs in *Scotland*, were represented to the King, and that by his Command; and are in *Lauderdale's* and his Lady's Impeachment, which are all in Print. Notwithstanding all this, it was this *Lauderdale* who had procured an Act of Parliament to raise 20000 Foot, and 2000 Horse, to march into *England* to serve the King upon all Occasions. And tho the Duke, to prevent the Fame of his Actions arriving in *England*, had by a Proclamation forbid all Subjects to depart the Kingdom without Licence, yet the Noise of his Actions flew every where in *England*, not less than the Censures of the *Star-Chamber* and *High Commission*, in *Laud's* Regency, did in *Scotland*; and in due time the Duke shall hear of them. Can any Man now believe, That the King, by his Declaration of Indulgence, intended any Benefit to the Dissenters in *England*, whilst *Lauderdale*, without doubt by his Order, was acting these things in *Scotland*?

The House of Commons could not at first step forget all the Loyalty they before profest to the King, nor yet would they own the *Dutch War*; and therefore they voted the King 1238750 *l.* to supply the King's extraordinary Occasions; but before they would let this Bill slip through their Fingers, they tack'd a Bill to it, by which no Papist should have any publick Employment. This Bill catch'd my Lord Treasurer *Clifford*, the first in the Cabal, who was forced to resign his Treasurer's Place, or renounce *Popery*, which he would not do; his Pensioners not being against it, hoping thereby to get the Places which the Popish Party held; and even my Lord

Lord Chancellor *Ashley*, from *Delenda Carthago*, now sets up for the Country Party, against the Designs of the Cabal: so moultries are all Designs, which are not cemented in Justice and Honour.

The King having got the Bill for the Money, the further Sitting of the Parliament became uneasy to him; whereupon the Parliament was adjourned till the 20th, and after to the 27th of October, viz. 1673.

During this Recess, there were three Sea-Fights between the *English*, *French*, and *Dutch*, Prince *Rupert* Admiral, in all which the *French* stood aloof, looking on whilst the *English* and *Dutch* battered one another; only Monsieur *de Martell*, for engaging, was recalled, checked, and dismissed.

As the *English* thrived no better by Sea, so neither did the *French* by Land; for first the Elector of *Brandenburg*, then the Emperor, and at last the King, or Queen Regent of *Spain*, apprehensive of the Danger common to them all, of the *French* subduing the *Dutch* Provinces, entred into a mutual League for their Defence: and by their Conjunction, the Prince of *Orange* recovered many of the *Upland Towns*, in almost as little Time as the *French* had taken them.

In this state the *Swede* now broke loose from the Triple League, whereby he opened the Gap to let in this Confusion, and became a Pensioner to *France*, and proposes a Treaty of Peace to be held at *Cologne*; and thither the King, the Emperor, the *French* King, and the King of *Spain*, send their Plenipotentiaries to treat of it.

The *French* King's Propositions were so insolent, that if granted, our King could have nothing; yet the King (*pudet hac*) insisted, That tho he was contented with such Propositions as he required, so as accepted in ten Days, yet if granted by the *States*, they should be of no force: nor will he enter into any Treaty of Peace, unless his most Christian Majesty shall receive Satisfaction from the *States* in his Particular.

After the *French* King should have all, the King's Demands were a Regulation of the Trade to the *East-Indies*, a Settlement of the Freedom of Navigation in *Europe*, the Arrears for the Fishing-Trade upon the *English* Coast, to assert a settled Revenue to the Crown for every Buſs or Dogger-boat for the future; and to make Satisfaction for the Damages sustained by the Depredations upon the Ships and Lading taken from Sir *Paul Pindar*, and Sir *William Courten*, &c.

In this Interval of the Parliament's Recess, the King took the Seals from my Lord Chancellour *Ashley*, now made Earl of *Shaftsbury*, and gave them to Sir *Henage Finch*, a Person of singular Integrity, Eloquence, and Veracity; who to those insite Excellencies which were natural to him, improved them, by the great Example of his Uncle *John Finch*, likewise Keeper of the Great Seal

in

in the King's Father's Reign; yet with a different Fate, for the Temper of the Times would not bear his Uncle's Integrity, Eloquence, and Veracity; whereas the Nephew, with prosperous Gales, continued his Course till he arrived at Lord Chancellour, Lord *Daventry*, and Earl of *Nottingham*, and kept the Seals to his dying Day; which not one of his three Predecessors could do: And Sir *Thomas Osburn* succeeded Lord Treasurer. So *C.* and *A.* are out; we shall soon see what became of *B.* *A.* and *L.*

At last the 20th of *October* came, and the Parliament met again, when at the opening of the Session, the new Lord Keeper, with admired Eloquence and Veracity (which he retained to his dying Day) made a large Deduction of the *Dutch Averseness* to Peace; their uncivil Demeanour to the King's Plenipotentiaries at *Cologne*, and how indirectly they dealt with the King in all the Overtures of Peace; and therefore a necessary Supply, proportionable to the Greatness of the King's Affairs, was not only demanded, but Care to be taken for Payment of the Bankers Debt, otherways Multitudes of the King's Loyal Subjects would be undone.

But neither the Keeper's Eloquence nor his Veracity would down with the Commons; for during this Recess, the Terror of the *French* Progress had alarm'd the Nation as well as the rest of *Christendom*: The *French* Legerdemain at Sea was so much more taken notice of as our Loss was more, by their looking on whilst the *English* and *Dutch* destroyed one another. The Commons were frighted at the standing Army in *England*, commanded by a Foreigner, and an *Irish* Papist, taking all Military Liberty as in Time of War. It was more than whisper'd, the Conditions proposed by the King's Plenipotentiaries at *Cologne* were impossible; which tho granted, yet no Peace was to be had, unless the *French* King was answer'd in his Demands: nor were the Commons content with their Prorogation, till the Marriage with the Princess of *Modena* was past Cure.

Hereupon the Commons, on the 31st of *October*, bound themselves by a Vote, That considering the present Condition of the Nation, they will not take into further Consideration any Aids or Charges upon the Subject, except it shall appear that the Obstinacy of the *Dutch* shall render it necessary; nor before this Kingdom be effectually secured from Popery and Popish Counsels, and other Grievances redressed.

This early Vote of the Commons was so much more surprizing to the Band of Pensioners, who as yet had not earned their Bread, by how much they expected Mountains of Gold should fall from my Lord Keeper's Eloquence and Veracity. And now is the King, like his Father when he went to *York* to fight the Scots, reduced to a fine state, all the Monies received from the *French* King, like Water spilt upon the Ground, never to be collected: Besides the

Band of Pensioners, he had a Land Army to maintain, and a Fleet at Sea, which the *French* Subsidies would not one fourth maintain: He could not avoid the Clamours of his Subjects whose Monies were shut up in the *Exchequer*, nor the Merchants who had supplied his Navy in this and the former *Dutch* War; yet their Graces the *Dutcheſſes* of *Cleveland* and *Portsmouth*, muſt be maintained ſutable to their Qualities; ſo muſt the *Dukes* of *M—— G—— S—— N—— R—— St. A——* and *Earl of P——* beſides Portions to be provided for many of his Off-ſpring of the other Sex. He had already provided Titles for the Cabal, except *Buckingham*, who could not be greater. However, you'll ſee this Vote of the Commons will work powerfully, norwithſtanding the Agreement at *Utrecht* that the King ſhall not make a ſeparate Peace without the *French* King, nor any Peace with the *Dutch*, unleſs the *French* King ſhall be ſatiſfied in his Particulars at *Cologne*.

Nor did the Commons ſtay here, but *C.* and *A.* being gone, one dead, the other turned to t'other ſide, they fell upon *B. A.* and *L.* and addreſſed themſelves to the King that they might be removed from his Councils, Prefence, and all publick Employment: and upon the 4th of November moved,

1. *That the Alliance with France was a Grievance.*

2. *That the evil Counſel about the King was a Grievance to the Nation.*

3. *That the Lord Lauderdale was a Perſon grievous to the Nation, and not fit to be truſted in any Office or Truſt, but to be removed.*

The Rump of the Cabal thus uſed, frighted the whole Band of Pensioners into a Fear, their Turn would be next, at leaſt their Penſions not paid; and therefore to undo all that was done, in a Hurry the Parliament was prorogued to the 7th of *January* following, not having ſat eight Days.

But the Commons needed not to have been ſo fierce upon *B. A.* and *L.* for *B.* was now going off, and *A.* being the King's Brother-in-law was ſpited that he was twice balked in being Lord *Treſurer*; and if he did not turn to t'other ſide, yet he would never be reconciled with my Lord *Treſurer*: Only *L.* now remained to be quit with the Commons, to get an Act of Parliament in *Scotland* to raiſe 20000 Foot and 2000 Horſe, to ſerve the King upon all Occaſions.

The King having ſo haſtily begun this War, by two ſuch Acts as were without Precedent, viz. The ſhutting up the *Exchequer*, and the Attempt upon the *Dutch Smyrna* Fleet, was now as forward to make a Peace with the *Dutch*, even upon any Terms; tho but laſt Year his Plenipotentiaries had agreed at *Utrecht* with the *French* King, not to make Peace with the *Dutch* without him; and this Year at *Cologne*, to grant no Peace unleſs the *French* King be ſatiſfied in his Particulars.

By

By this time the *CABAL* was degenerated into a *Juncto*, and this was compounded too of five, viz. My Lord Keeper *F—* *L—* *Lauderdale*, *Arlington*, and Secretary *Coventry*, in room of Secretary *Trevor*, now dead.

It was agreed by the whole *Juncto*, That Sir *William Temple* was the most proper Agent for making this Peace, not only for his Abilities and great Reputation he had acquired in concluding the *Triple League*, but for the Honour and Esteem the King of *Spain* and *States of Holland* held of his Integrity and Conduct: And in order hereunto, my Lord *Arlington*, from the King and *Juncto*, complimented Sir *William*, and told him, He would not pretend the Merit of having named him (Sir *William*) upon this Occasion, or whether the King or my Lord Treasurer did it first, but that the whole Committee joined in it, and concluded, That since a Peace was to be made, no other Person to be thought so fit for it; and therefore the King, with many kind Expressions, gave order to Sir *William* to prepare for his Journey, and the Secretary to draw up his Instructions.

But how forward soever the *Juncto* were for Peace, the *Dutch* out-run them, or at least kept equal Pace with them: for tho the Prince of *Orange* were victorious in *Holland*, and with admired Prudence and Conduct, like another *Scipio*, carried the War out of his Country, and thereby saved it; for in the dead of the Year he joined *Montecuculi* the Emperor's General, and besieged and took *Bon* (the Residence of the Elector of *Cologne*) and thereby cut off the Communication between *France* and *Holland*, whereby the *French* were forced not only to quit their conquer'd Towns by heaps, but he opened a Passage for the Imperial Forces to join the *Dutch* and *Spanish*; yet the *Dutch*, having but newly recovered their drowned Country, and lost their Trade, the Charges of maintaining their Land Army became so great, that it was impossible this Year to set out a Fleet by Sea.

The *Dutch States* therefore gave the Marquess of *Frezno* (the *Spanish* Ambassador in *England*) Power to treat and conclude a Peace with the King, which came in three Days after the *Juncto* had sent to Sir *William*: and this, by Sir *William's* Advice, stayed his Journey into *Holland*, it being more honourable for the King to be fought to, than seek a Peace; and that the King's Interest might be better pursued at *London* than at the *Hague*.

The King and *Juncto* agreed to it, and withal added, That tho Sir *William* did not treat the Peace at the *Hague*, he should at *London*: And when Sir *William* had received his Instructions, he at three Meetings with the Marquess concluded the whole Treaty with the Satisfaction of the King.

Sir *William* says, the Articles being publick, need no Place here; but the two Points of greatest Difficulty were the Flag, and

and recalling the *English* Troops out of the *French* Service: But that this last was composed by private Engagements to suffer those to wear out without any Recruits, or not to permit new ones to go over; yet at the same time to give Leave to the *Dutch* to raise such Levies as they should think fit in his Majesty's Dominions.

But this is an odd Equivocation to recal the *French* Troops, which was to let them wear out, without Recruits, which was not observed neither, for Men were not only encouraged, but pressed to this Service: and to these in the *French* Service does Sir William and the *Germans* too ascribe the Glory of all the *French* Actions, who not only in *Turenne's* Life, but at his Death, saved the whole *French* Army. But if this be as Sir William says, yet the King hereby, instead of being the Protector, becomes a Murderer of his Subjects, in permitting them to kill one another on both sides; for it is impossible the War should be just on both sides: Nor do I believe the like Precedent can be shewed, unless by the King's Grandfather *James I.*

I confess, I have not seen the Articles of the Treaty at large; but by so much as I have seen, I do not find that the Arréars for the *Dutch* Fishing upon the Coasts of *England* and *Scotland*, agreed upon in King *Charles* the First's Time (which was 30000 *l.* per Annum) and a settled Revenue for that Fishery for the Time to come, insisted upon at the Treaty of *Cologne*; nor the Damages to the Executors of Sir *Paul Pindar* and Sir *William Courten*, were so much as mention'd in it. It may be the 800000 *Patacoons* to be paid by the *Dutch* to the King by this Treaty, were intended in Satisfaction of the Executors Demands, of which they denied they ever received one Penny.

This hasty Peace thus huddled up, in less than 4 Days, viz. between the 5th or 6th and 9th of *February*, would not admit of the Establishment of a Marine Treaty, and Regulation of the *East-India* Trade between the *English* and *Dutch*, and Treaty at *Cologne*: And therefore it was agreed, That Commissioners on both sides were to meet at *London* to treat of these, and determine them in three Months after such Meeting: and in case any Differences should not be adjusted, these to be referred to the Queen Regent of *Spain*, who should name 11 Commissioners, the greater part of whom should determine the Differences in 6 Months after, and these to meet in 3 Months after the Queen Regent shall have taken the foresaid Arbitriment upon her self.

But the *States*, as wise in this Treaty as the *English* were improvident and hasty, got the 7th Article agreed to, viz. That the Treaty made at *Breda* 1667, as also other Treaties renewed by it, be confirmed, and remain in full Force and Vigour, as far as they shall not be contrary to this present Treaty.

The

The *Marine Treaty* was agreed by the Commissioners; but the first and fifth Articles ill observed by the *Dutch*, as I have seen made publick; but nothing was agreed for the Regulation of the *East-India Trade*, nor any thing concerning it referred to the Queen Regent of *Spain*.

This is that honourable Peace, to his Majesty's Satisfaction, which succeeded this glorious War, to the Expence of such vast Treasure and Charge to *England*, and involving *Christendom* into a War, wherein we taught the *French* to fight by Sea, while they encouraged the *Dutch* and us to destroy one another, whereby we got nothing but dry Blows, except the 800000 *Patatoons*: for the Flag was ever given by the *Dutch* to Queen *Elizabeth*, King *James*, and King *Charles I.* and by the Treaty to *Oliver* in 1654, and to the King in 1666 and 1667, nor ever desired by the *States*: But the *Dutch* got confirmed the Islands of *Amboyna* and *Polloroon*, which they had ravished from the *English*, (whereby they not only supply *Europe*, but *India* and *Persia*, with Spice) and *Surinam*; and also got discharged again from the Piracy or Robbery perpetrated upon the *Bona Esperanza* and *Henry Bonadventura* in Time of Peace, and all the Arrears of 30000 *l. per Annum*, for fishing upon our Coasts since 1636. So little Regard was had, in this Treaty, either of the King's Honour, or of the Good or Interest of the Nation.

However, 'twas the Interest of *Spain* to promote this separate Peace with the *Dutch*; for this Year the *French* King having brib'd the *Swiss* to a Compliance, took the *Franche County* from *Spain*, the *Swiss* keeping Garisons in *Dole* and *Besançon*: And this Year *Messina* revolted from *Spain*, and submitted to the *French* King.

CHAP. III.

A further Detection of this Reign till the breaking out of the Popish Plot.

TO mollify his most Christian Majesty, highly exasperated, you must think, by this Peace, the King, 'twas said, and I believe it, sent his Ship-Carpenters to instruct the *French* how to build his Men of War: and I say, Sir *Anthony Dean* told me, that by Order of the King, he built the Model of a Man of War (as I remember he said of a hundred and fifty Tuns) and carried it by Water to *Roan*, from whence the *French* King convey'd it by Land to *Versailles*, and had it launched into his great Pool he had made

made there, where he came on board, and had much Conference with Sir *Anthony* upon it.

And if the Service of the *English* commanded by *Turenne* in *France* were not sufficient for carrying on the War against the *Confederates*, the King emptied his own *Magazines* to fill the *French*; and that from *June 1675* to *June 1677*, *Granadoes* were sent without Number, under colour of unwrought Iron; Lead-shoe twenty one Tuns, Gun-powder seven thousand one hundred and thirty four Barrels, Iron-shot eighteen Tuns six hundred Weight, Match eighty eight Tuns and a thousand Weight; Iron Ordnance four hundred forty one, Quantity two hundred ninety two Tuns, nine hundred Weight; Carriages, Bandaliers, Pikes, &c. uncertain.

In return of these Kindnesses, the *French* King not only exorbitantly enlarged his Impositions upon the *English* in their Trade to *France*, but let loose his Privateers upon the *English*, as if there had been no Peace, and plunder'd, murder'd, made Prize of their Ships and Effects, and confiscated them; block'd up our Coast, and took our Ships out of their very Ports: and if Complaints were made at his Sovereign Port, they were baffled, except some which were redeemed by Sir *Ellis Leighton's* Interest (a most notorious ———) who made a second Prize of them. Mr. *Marvel*, at the End of his *Growth of Popery*, gives an Account of sixty three of these, with the Masters Names, their Burden, Lading, and the Ports they belonged to, from 1674 to the latter end of 1676.

Now the King, who by this War had set *Christendom* in a Flame, being himself got out of it, sets up to be a Mediator for Peace; and no Man so fit to be employed in it as Sir *William Temple*, who having observed how the Ministers had deceived him or themselves, and advised the King to break Treaties so solemnly agreed upon, would not take this Employment upon him before he had sounded the King's true Sentiment, and trust no more to his Ministers.

Sir *William* therefore, in a Conference with the King in his Closet, and in a well composed Speech, reflected upon the *Cabal*, how ill he had been advised to break Treaties so solemnly agreed to, and how ill they had succeeded, how different the Constitutions of *France* were from those of *England*, and how different the State of the Crown now was from that when it had the Court of Wards, and Knights Service, and large Revenues of Lands, and Fee-Farms which now were alienated: so that *Gourville* well observed, that a King of *England* who will be the Man of his People, is the greatest King in the World; but if he will be something more, he is nothing at all.

The King heard Sir *William* attentively, yet impatiently at first, but at last the King said, *Gourville* had reason for what was said, and said

said, *And I will be the Man of my People* : but you'll see the King shall not long hold in this Mind ; for Monsieur *Barillon*, the French Ambassador, and the Dutchess of *Portsmouth*, by the Agency of a French Monk, who had changed his Frock for a Petticoat, shall unravel all Sir *William* had been weaving in the Treaty of *Nimeguen*.

Sir *William's* Embassy was declared in May 1674, and his Dispatches finished in July following, when he went into *Holland* : But it seems to me the French Interest was chiefly designed, even in this Embassy ; for tho Sir *William's* Instructions were for a general Peace, yet his Application was first to the States, and after to the Prince, that they would accept of it, and after their Acceptance of it, to endeavour it with their Allies ; which looks as if the King rather intended a separate Peace with the Dutch and *Spaniard*, than a general one : and this the King endeavoured during the whole Treaty at *Nimeguen*, as you may see at large in the second Part of Sir *William Temple's* second Memoirs, and so ended at last ; and so the States understood it, who tho at first desirous of a separate Peace, yet in Honour they could not leave out the Confederates who had saved their Country : And if the French King could have a separate Peace with the States and Spain, he little cared for the Empire, being in a Treaty with Count *Teckely* to raise a Rebellion in *Hungary*, and to engage the Turk in a War against the Empire.

Tho the King had got out of this War, yet this Summer the French King got the Swede into it (and as justly as the King began this War by his Attempt upon the Dutch *Smirna-Fleet*, for the Elector of *Brandenburg* had withdrawn a great Army out of his Country, to assist the Confederates upon the Rhine against Monsieur *Turenne*, who commanded the French) without declaring War, the Swede made War against him in *Pomerania*, tho it had like to have cost the Swede all he had in *Pomerania* ; for the Elector returning at the latter end of the Summer, routed the Swedish Army, and after took *Stetin* (the Metropolis of *Pomerland*) and had kept it, if afterwards the Dutch had not made a separate Peace, and left him and the Empire too, who had saved them, to the Mercy of the French : And this had been done a Year sooner if the Noble Constancy and Authority of the Prince of *Orange* had not opposed it, who this Year fought the great Battel at *Seneff* against the Prince of *Conde*, with uncertain Victory.

You have seen how we got Peace abroad, now let's see how things stood at home. Tho the Popish Party had been twice balk'd in their Designs, I mean by the King's recalling the Indulgence, and this Peace, yet were their Hopes and Designs by the Marriage of the Duke with the Princess of *Modena* more heightened than ever ; for they knew the King being involved in all sensual

Pleasures, and therefore hating the Cares and Troubles of Business, might easily be prevailed upon by Importunity; and the Dutches being an adopted Daughter of *France*, and having her Advancement and Portion from the *French King*, was obliged to propagate the *French Designs* with the Duke, and he with the King: And the Advancement of the Catholick Cause was the most pious and glorious Work they could promote, and therefore *Coleman* (the Duke's Secretary) now holds Intelligence with *Father Ferrier* (the *French King's* Confessor) *Ferrier* with the Jesuited Faction in *France*, and *Coleman* with those in *England* how to manage the King in order to it.

The Bargain was soon made by *Coleman* and *Ferrier*, and his Christian Majesty was fully satisfied of the Duke's good Intentions towards him, so that he esteemed both their Interests to be one and the same: This Return was by *Sir William Throgmorton*, June 2. *S. N.* 1674, to *Coleman*.

This *Coleman* communicates to the Duke, who commanded *Coleman* to answer, That the Duke was very sensible of his most Christian Majesty's Friendship, which he would cultivate with all the good Offices he was capable of, and that the Duke was fully convinced that their Interests were one, and the Parliament was not only unuseful, but dangerous both to *England* and *France*; and that it was the Duke's Opinion, That if his most Christian Majesty would write his Thoughts freely to the King upon this Subject; and make the same Offer of his Purse to dissolve this Parliament, as he made to the Duke to call another, he did believe it very possible for him to succeed; and from this time to the breaking out of the Popish Plot, you shall see the Parliament call'd, prorogu'd and adjourn'd, by Order from *France*, or *French* Ministers and Pensioners.

That this Design may be carried on in Masquerade, the whole Band of Pensioners make it their Business to possess whom they could persuade, that the Church is in danger, (truly said, but untruly intended) and that the Nation was running into *Forty One*: All Countenance and Hopes of Preferment were promised to those who would support the Church from the Danger of *Forty One*. This was blaz'd abroad, and encouraged by all sorts of printed Pamphlets, and if they met with Opposition, the Authors and Printers were persecuted for publishing unlicensed Pamphlets: *Mr. Roger L'Esfrange* was the Champion and Pensioner of the Cause: Never did Man fight so to force the Whig into the Church, and when he was there made a Trimmer of him, and would have him out again: *Forty One* was his Retreat against all who durst contend against him and the Government. This was the Licenser of the Press, but never was there such a Press Risler.

For propagating this holy Cause, Sir *Francis North* is made Chief Justice of the *Common-Pleas*, Sir *Richard Rainsford* Chief Justice of the *King's-Bench*, *William Mountague* Chief Baron, *Vere Bartue* a Baron of the *Exchequer*, Sir *William Scrogs* a Justice of the *Common-Pleas*, and Sir *Thomas Jones* of the *King's-Bench*, Men all *durante bene placito*: You need not fear the *Chincery*, for at this time there were four Chancellors and Lord-Keepers alive.

The Parliament was to have met the 10th of *November 1674*, but the Instructions from *France* were not yet sufficiently ripened, so 'twas put off till the 13th of *April 1675*.

At the opening of this Session, my Lord-keeper told the Houses, *No Influence of the Stars, no Configurations of the Heavens are to be feared so long as these two Houses stand in good Disposition to each other, and both in a happy Conjunction with their Lord and Sovereign, but they ought not quieta movere, nor res parvas magnis motibus agere.*

The House of Commons had been sullen these two last Sessions, and proceeded contrary to the Humour and Design of the Court, and therefore a Bill was brought into the House of Lords, entitled, *An Act to prevent the Danger that may arise from Persons dissatisfied to the Government*, which was the same imposed upon the dissenting Clergy by the *Oxford five-Mile-Act*: this my Lord-keeper said was a moderate Security to the Church and Crown, which no honest Man could refuse, and who did, gave great suspicion of dangerous and Antimonarchical Principles: This Oath or Abhorrence or Test is mentioned before, and is now set on foot to be taken by all who enjoy'd any Beneficial Offices, Ecclesiastical, Civil or Military, to which were added Privy-Counsellors, Justices of the Peace, and Parliament-Men.

It's strange to me that Princes, or indeed other Men, who have any Piety or Fear of God, should think to be secure in unjust Actions, by Mens swearing to observe them: For tho Human Actions be voluntary, yet the End and Design by them is not in Human Power: *Paul* may plant, and *Apollos* water, but only God can give the Blessing; with what reason then can Man expect a Blessing from God, because his Name is profaned, and made as a stalking-Horse to attain it? What Security had the *Freshyterians* by their Covenant, or the *Rump* Parliament by their Engagement, or *Oliver* or his Son by their Recognition? And more I think the King could not expect hereby.

Whereas Princes whose Thrones are establish'd by Justice and Righteousness, have a nobler Security than can be hoped for by Mens previous swearing to get Offices and Employments; so that *Trajan*, who was truly called the *Just*, put his Sword into the *Pratorian Prefect's* Hands, and bid him draw it against him, when ever he should attempt any thing against the Publick Good.

This King had a way, never gone by any of his Predecessors, to be present in the House of Lords at Debates, and would solicit Lords for their Votes: This was first declaimed against by my Lord *Lucas*, as an Awe upon the Peers in their Debates and Votes. This Oath being the Gap to let in the Popish Designs, you cannot think the King would now be away, but give all Countenance to the passing of it; the Bishops to a Man were for passing of it, so were all the Court-Lords, or those who hoped for Preferment, so as these were the much greater Part: Yet the Country Lords when they debated it in Paragraphs, made it inconsistent with the present Constitution of the Nation, vain and superfluous, and inconsistent in it self, which held for seventeen days together: But the Debates were laid aside by the Commons Votes against the Jurisdiction of the Lords in Appeals from *Chancery*. These Debates you may read at large in Print in a Tract intitled, *A Letter from a Person of Quality to his Friend in the Country*.

But because my Lord-keeper will have an ill-meant Distinction between the King's Natural and Politick Capacity, I'll put one Case which I do not find in all these Debates: The one Part of the Oath is, I declare, *That it is not lawful upon any Pretence whatsoever, to take up Arms against the King; and, that I do abhor that Traiterous Position of taking Arms by his Authority against his Person, or against those who are commissioned by him, in pursuance of such Commission*. Suppose Duke *Lauderdale* should have a Commission from the King to bring his twenty two thousand Scots into England (and you cannot believe the Scots Law to do it was made to no purpose) and plunder, and dispossess the English of their Estates; and the Sheriffs of the Counties should raise the *Posse* to suppress them, and compel them to keep the Peace, as the Sheriff by his Commission and Oath is bound to do: On which side does the Abhorrence of the Traiterous Position of taking up Arms against those commissioned by the King lie? But you'll say this cannot be imagined; and I say, the Design of imposing this Oath, makes this not only imaginable, but believed to be intended.

In the Debates the Commons raise a Storm against the Lords Jurisdiction in Appeals from *Chancery*, upon which the King provoked the Parliament to the 13th of October 1675.

Tho the Duke lost Ground in the House of Commons, and was disappointed in carrying the *abhorring Test* in the House of Lords, yet he gained so much upon the French King, that upon the second of June he offered the Duke his Friendship, the use of his Purse to the assisting of him against the Designs of his and the Duke's Enemies; and protested their Interests were so close linked together, that those who opposed the one, should be looked upon as Enemies to the other, with much more, as you may read in the Duke's Letter to *Le Chaise*, the 29th of June 1675.

Tho

Tho the *French* could not fight against the *Dutch* in Conjunction with the *English*, yet without the *English* they can fight the *Spaniard* and *Dutch*: For the *Spaniard* (having block'd up *Messina* in *Sicily* by Land, which last Year revolted to the *French*) agreed with the *Dutch* to send a Fleet of Men of War to join the *Spanish*, to block up *Messina* by Sea, which the *Dutch* this Year did under *De Ruyter*; but were so niggardly in it, that the *French* beat both *Dutch* and *Spanish* Fleets, and killed *De Ruyter*: This was a just Reward returned to the *Dutch*, for building the *French* six great Men of War six or seven Years before. Just so *Richlieu* served the *Spaniard* in 1637, for joining with the *French*, in expelling the *English* out of the *Isle of Rhee*.

Tho the King were the first in the Triple League for the Guaranty of the Treaty of *Aix*, for the Preservation of *Flanders*; and tho the King in his Declaration at the beginning of this War, had engaged to support the Peace made at *Aix*; yet the *French* King this Summer took the City of *Limburg*, being the chief of one of the *Spanish* Provinces: which the King not only takes no notice of, but tells Sir *William Temple*, (newly commanded out of *Holland* by the King) that some warm Leaders in both Houses had a mind to engage him in a War against *France*, which they should not do, because he was sure they would make use of it to the Ruin of his Ministers. If the King were unhappy in his Declaration, he was not less in saying this to Sir *William*, to whom the Year before he promised to be the Man of his People, but is now of his Ministers: And sure he was the first Prince that ever profest it.

Upon the 13th of *October* the Houses met, and the King asked a Supply for building of Ships, and to take off the Anticipation upon his Revenue.

In the Interval of this Recess, the Debates of the Abhorring Oath became publick, which so nettled the Court and Church-Party, being the more numerous, that since they could not prevail by Reason, they would by Fire, and therefore ordered them to be burnt, which made the Debates so much more to be enquired into, and hereby received a greater Light.

The Commons had before them several Bills for preventing future Mischiefs, viz.

The *Habeas Corpus* Bill.

A Bill against sending Men Prisoners beyond Sea.

Against raising Money without Consent in Parliament.

Against Papists sitting in either House.

For more speedy convicting of Papists.

And for recalling his Majesty's Subjects out of the *French* Service.

These Bills being so diametrically contrary to the *French* and Popish Designs, and the Commons now more peremptorily than

before, opposing the Lords Jurisdiction in Appeals from Chancery, so that they voted, *Whosoever shall sollicite or prosecute any Appeal against any Commoner of England from any Court of Equity before the House of Lords, shall be deemed and taken a Betrayer of the Rights and Liberties of the Commons of England, and shall be proceeded against accordingly*: And the Commons having commanded the Counsel (who pleaded before the Lords) to the Tower, (How much is the case now altered?) the King took thereby an occasion to prorogue the Parliament from the 22^d of November 1675, to the 16th of February 1676, which is above a Year; in which time, by a Law in Edward the Third's time, a Parliament was to be called; and as it was without Precedent, so it caused new Debates and Heats in both Houses when they met.

In this long Recess, I find but few Motions of the French and Popish Councils more than what appeared in Sir Thomas Gascoins and other Trials: For Coleman's last two Years Letters were suppressed, as was his Book of Entries; and the Commotions raised in Britany and Guiene, by the Impositions imposed upon the Inhabitants, hindred the French this Year from their usually more early opening their Campaign than the Confederates; so that every where the Confederates prevailed against the French; Turen's Army was distressed by Montecuculi, and himself killed, yet the Army got on the French side of the Rhine, by the Bravery and bold Strands of the English. The Dukes of Lunenburg routed Marshal Creguy's Army, and after took Triers, and made Creguy Prisoner; and the Imperialists also took Philipsburg; the Elector of Brandenburg routed the Swedes in Pomerland, entred into a League with the King of Denmark, who took Wismar from the Swede: and the Prince of Orange took Binch from the French, and raised it. But the Progress of all these Victories were stop'd, by the unaccountable Retreat of Montecuculi out of Alsatia with his whole Army back over the Rhine, it was said by express Orders from Vienna, thereby leaving Alsatia in the Power of the French, to the breaking of the old Duke of Lorain's Heart; who at that time had, and never before, so fair a Prospect of the Recovery of his Country.

If the Commotions in Britany and Guiene retarded the French opening the Campaign last Year, the King shall make amends in this: For having provided Stores for Horle and Man in his Frontier Garisons, in February 1676 he block'd up Valenciennes and Cambray, and committed such Ravages, by burning and destroying those Parts of Germany which lay opposite to him on the other side of the Rhine, as if he made War not to conquer, but to destroy, tho this were at a time whilst they were in a Treaty of Peace with the Empire and King of Spain.

Upon the 17th of March, he, notwithstanding the extreame Coldness of the Season, took Valenciennes, and from thence marched

to *Cambray*, and laid Siege to it and *St. Omers*; and after the opening of his Trenches *Cambray* surrendered, but not the Citadel, our King looking on, as if he had not been concerned in the Guaranty of the Treaty of *Aix*: Nor could the Prince of *Orange* prevent this, the *Spanish* Garisons being ill provided, and the Confederates being so slow in getting into Bodies to oppose the *French*; or if they had been to be got together, they could not have kept the Field for want of Provisions for Horse and Man.

However, tho the Prince could not come time enough to relieve *Cambray* and *Valenciennes*, yet with the single Forces of the *States*, the *Spaniard* not so much as supplying him with Guides, marched to the Relief of *St. Omers*; but the Duke of *Luxemburg* joining with the Duke of *Oleance*, met the Prince at *Mount-Cassel*, where at first the Dispute was brave, but the first Regiment of the *Dutch* Infantry breaking and falling into Disorder, the Prince rallied them several times, and renewed the Charge, but could not prevent their plain Flight; yet made so brave a Retreat, which wanted little of the Honour of a Victory; so both the Citadel of *Cambray* and *St. Omers*, upon the 20th of *April*, fell into the *French* Hands, and thereby the main Strength of the Frontier to the *Dutch Netherlands* lost: And by these Conquests the *French* King not only delivered his own Subjects from the Contributions they paid to these Cities, but enlarged his upon the Residue of the *Spanish Netherlands*.

Upon the 15th of *February* 1675; the Parliament met again, and from the Variance between the Houses about Appeals from *Chancery* to the Lords, they fell at Variance in both Houses, whether this long Prorogation were not a Dissolution: The Contest was highest in the House of Lords, and the Duke of *Buckingham*, the Earls of *Salisbury* and *Shaftsbury*, and Lord *Wharton*, were committed close Prisoners to the Tower for their Reasons alledged; yet the Lords who voted their Commitment this Session, were as zealous the last to petition the King to dissolve the Parliament, when the Commons contested their Jurisdiction in Appeals from *Chancery*: But tho the Commons being in love with their sitting, resolved the Parliament not to be dissolved, yet they committed none of their Members for debating whether the Parliament were not; and granted the King an Additional Duty upon Beer, Ale and other Liquors for three Years; for now was the time to secure Religion and Property, said my Lord Chancellor.

But whether the Parliament were dissolved or not, the Commons were mightily alarm'd at the *French* Progress in *Flanders*, and therefore upon the 23d of *May* resolved, that an Address be made to the King to enter into a League Offensive and Defensive with the *States General* of the *United Provinces*, and make such other Alliances as he should think fit against the Growth and Power

Power of the *French King*, and for the Preservation of the *Spanish Netherlands*.

It seems the Ministers were as fearful of a War, as the Commons were of this Peace, wherein the *Spanish Netherlands* were in such Danger; and therefore the King in his Answer upon the Twenty eighth of May, told the Commons, *They had so intrenched upon so undoubted a Right of the Crown, that in no Age it will appear (when the Sword was not drawn) the Prerogative of making War and Peace had been so dangerously invaded; with a great deal more of such Stuff*, and therefore assures them, that no Condition shall make him depart from, or lessen so essential a Part of the Monarchy. A Man I think may swear out of what Quiver this Arrow was shot.

As if any King were less a King for being well advised, especially by those who can best assist him. To advise and to act, are different. The Commons did not in this Address, treat either of War or Peace, but only advised or counselled the King; excited to it by their own, as well as the King's Danger, by the Growth of the *French*: And sure Princes have not such a Prerogative, as not to take Advice or Counsel, in less Actions than of War and Peace.

If you look upon the King's former Actions, what Glorious Wars, and Honourable Peaces he had made, you had little reason to think it so dangerous to his Prerogative, to advise him. For my part, I wonder the Commons should make any Address to him about them, since they could have no Security in any Answer he should make to their Address.

For was not the King a Guaranty in the Treaty of *Aix*, for the Preservation of the *Spanish Netherlands*, before the *Swede* entered into the Triple Alliance? And did not the King in the Beginning of this War declare he would observe the Treaty of *Aix*, which he might do, tho the *Swede* were out of it? And was not the King by the last Peace with the *Dutch*, obliged to withdraw his Subjects out of the *French Service*; yet did not only continue them, but permitted, nay pressed his Subjects to recruit and increase them?

In the first *Dutch War*, (which was designed for the Overthrow of the *Protestant Interest*) then the Commons Advice was embraced, and thankfully entertained; but in this, for the restraining the boundless Ambition of the *French King*, is an unheard of Usurpation of the King's Prerogative.

However, by this the Commons might perceive what Thanks they had from this King for their Restoration of him; and for the manifold Millions they had poured upon him for the maintenance of his Prodigality and Luxury; and how much he preferred the Enjoyment of his Minions and Flatterers, above his own Honour, the Safety and Welfare of himself, the Nation or Christendom.

The King to shew his further Indignation to the Commons, and to take *French* Counsels for Reparation of their dangerous Invasion of his Prerogative, signified to the Commons that they should adjourn till the sixteenth of *July* following; which was so absolutely obeyed by the *Speaker*, then Mr. but now Sir *E. S.* that without the Consent of the House, or so much as putting the Question, he adjourned them to the sixteenth of *July*; though Sir *John Finch* was impeached for the same thing of High Treason in Parliament in 1640. So that if the Parliament were not dissolved by the last long Prorogation, another Question may now arise, whether it was not so by their Separation, without either Prorogation or Adjournment.

But in this time of War, it seems the *French King* was not at leisure to give Counsel; therefore when the Parliament met on the tenth of *July*, Mr. Secretary *Coventry* signified, that it was his Majesty's Pleasure they should be adjourned to the Third of *December*, which Mr. *Speaker* did again by his own Authority: But before the Third of *December*, the King issued out his Proclamation, that he expected not the Members Attendance then, but that those about the Town might adjourn themselves to the Fourth of *April*, 1678; yet when the House met the third of *December*, Mr. Secretary *Coventry* delivered the House a Message from the King, that the House should be adjourned but to the fifteenth of *January*, 1677, which Mr. *Seymour* this third time did.

Thus did the Speaker make a threefold Invasion upon the Privilege of the House, for the House's once presuming to invade his Majesty's Prerogative of making War and Peace.

In this Jumble of Adjournments, the Prince of *Orange* about the End of *September* came into *England*, and from *Harwich* rode Post to *New-Market*, where the Court then was; his Business was twofold, a Wife, and a Treaty with the King for the Preservation of the *Spanish Netherlands*, terribly shaken by this last *French* Campaign.

Sir *William Temple* was sent into *Holland*, by the King, in *July* 1674, to mediate a Peace between the *French King* and *States*, and after that to offer the King's Mediation for a general one, between the *Confederates* and *French King*. The *Spaniards* were fearful of this, and the Prince jealous of it, so that the Governour of the *Spanish Netherlands* refused Sir *William* a Guard to go to the Prince, and the Prince declined Sir *William's* coming to him; so as Sir *William* was forced to return to *Holland*, and wait for the Prince there till the Campaign was over.

After the Prince returned to the *Hague*, Sir *William* acquainted him with the Powers the King had given him, and that the King desired to act in concert with the Prince, and therefore desired, so soon as might be, to understand the Prince's Opinion therein.

The

The Prince's Opinion was, That the *States* with any Faith could not make a separate Peace, and thereby expose the *Confederates*, who had saved the *States*, to the Mercy of the *French King*; nor could a general Peace be made unless *Flanders* was left in a Condition to defend it self: That it was in the King's Power to induce *France* to what was just, and that the Prince must perform what his own Honour, as well as what the *States* were engaged to for their Allies, let it cost what it would. This Answer was coldly received by the King, so as he made no Reply to it.

My Lord *Arlington* possest the King, that it was Sir *William's* ill Management that the Prince was not pliable to the King's Desires, but if the King would imploy him in the Affair, by the Benefit of his Lady's Relations, the Prince might be better disposed: So in *November* following the King sent my Lord *Arlington* upon this Affair to the Prince, and my Lord *Offery* (who had married *Madam Beverwort*, the Countess of *Arlington's* Sister.)

My Lord *Arlington* treated the Prince with that Authority, Arrogance and Insolence, and so artificially, that the Prince, who was of a plain and free Disposition, could not bear it, but said the King never intended he should treat him (the Prince) after that manner: Sir *William* and my Lord too had Instructions to sift the Prince to a Discovery of Applications made to him by discontented Persons in *England*; and to enter into secret Measures with the Prince, to assist the King against Rebels at home; and to sweeten all, my Lord *Offery* gave the Prince Hopes of a Match, with the Princess *Mary*, the Duke's eldest Daughter: but the Prince would not treat of a separate Peace, was obstinate against the second, said that the third was a Disrespect to the King to think that he was so ill beloved; and that his Fortunes were not in a Condition for him to think of a Wife: so that my Lord *Arlington* every way failed of his Expectation, lost much of the King's Favour, and utterly dissolved the Friendship and Confidence he believed he had in the Prince.

On the contrary, though my Lord *Offery* had above any other, more bravely fought against the Prince's Interest by Sea in this last War with the *Dutch*, yet the Sympathy of their noble Natures begot a Friendship, which no Power less than Death could dissolve; and my Lord became Partaker with the Prince in that glorious Attempt against the Duke of *Luxemburg*, upon the Relief of *Mons*, the Success of which was stopped by the unhappy separate Peace the *States* made with *France*; and the Proposition which my Lord made of the Match between the Prince and the Princess, made such an irresistible Impression in the Prince's Mind, that would admit of no other Relief but Enjoyment.

Though

Though the Prince could not suppress, yet he concealed his Desires of matching with the Princess *Mary*, till a little before the opening the Campaign 1676, when he disclosed them to Sir *William Temple*; but before he made any Paces towards the attaining his Desires, he desired Sir *William's* Opinion of the Person and Disposition of the Princess.

Sir *William*, who was glad to find the Prince's Resolution to marry, being a Debt due to his Family, and the rather because he was the only one of his own Masculine Line of it, replied, That he knew nothing of his own Knowledge of the Disposition of the Princess, but had always heard his Wife and Sister speak with all the Advantage that could be of what they could discern in a Princess so young, and more by what had been told them by her Governess.

Hereupon the Prince resolved to write to the King and Duke, and beg their Favours to him in it, and that my Lady *Temple* being to go over into *England*, upon Sir *William's* private Affairs, should deliver his Letters to both, and desired that my Lady, during her Stay in *England*, would endeavour most particularly to inform her self of all that concerned the Person, Humour and Disposition of the young Princess.

About two or three Days after the Prince brought his Letters to my Lady *Temple*, he went to the Army; my Lady *Temple* into *England*, and about the beginning of *July*, Sir *William* to *Nimeguen*, to assist with Sir *Lionel Jenkins* as Mediators for a General Peace.

The *States* were desirous of Peace, yet durst not break from their Confederacy, not trusting *England* enough, nor *France* at all, so as to have Dependency upon either after the Peace made: The *French* knew the *States* were bent upon Peace, but the Prince against any, but what was consisting with his Honour, and the Preservation of the *Spanish Netherlands*, so as to be a secure Barrier to the *States* against the Power of *France*. The *French* Designs, under the Covert of the general Peace to be treated at *Nimeguen*, were to break the Confederacy, and therefore their Ambassadors, the Marshal *D' Estrades*, and Monsieur *Colbert* accosted Sir *William*, and told him they had express and private Orders from their King to make particular Compliments to him, upon the Esteem their King had for his Person. They told him, they knew that the *States* were bent for Peace, which could not be had unless the Prince of *Orange* would interpose his Authority, which was so great with the Allies that they were sure the Allies would consent to whatever Terms the Prince should propose for a Peace, and therefore there was no Way to procure a happy Issue, but for the Prince privately to agree with *France*, upon the Conditions, in which the Prince might make use of the known Temper of the

States

States to bring it to a separate Peace, in case the unreasonable Pretences of the Allies should hinder a general one: that the Duke of *Bavaria* had so acted his part with *France* at the Treaty of *Munster*, whereby he owed the Greatness of his House, that by pursuing the same at *Nimeguen*, it would be in the Prince of *Orange* to do the same for himself and his Family: and that for what concerned the Prince's personal Interests, their Master had given them Assurance he should have a *Carte Blanch* to write his own Conditions: that tho they had other ways of making these Overtures to the Prince, yet their Orders were to do it by none but Sir *William*, if he would charge himself with it: that they knew the Confidence the Prince had in him, and how far his Opinion would prevail with the Prince; and that if Sir *William* would espouse this Affair, besides the Glory of having alone given Peace to *Christendom*, he might reckon upon what he pleased from the Bounty and Generosity of the King, their Master.

Sir *William*, in a well-composed Answer, acknowledged his Obligations for their King's good Opinion of him; but that his Instructions were for a general, not for a private Peace: For the Prince of *Orange*, he assured them it was his Opinion, That the Prince had none for his, or any Man's else, further than their Arguments prevailed upon his Judgment.

The Attacks upon Sir *William* not succeeding, Monsieur d'*Estres* turned his Battery upon Pensioner *Fagel*, to the same purpose the Ambassadors had done to Sir *William*, of all the Advantages to the Interest of the Prince. How these wrought upon the Pensioner, Sir *William* does not say; but says, all the Offers of Advantages made to the Interest of the Prince, met with no other Reception than what the Prince had foretold, tho at this time the Prince struggled under great Difficulty, by reason of the French great Treasure, and great Order of disposing it: The French Magazines were always filled in the Winter, so as it enabled them to take the Field as they pleased in the Spring, without fearing the Weather for their Foot, or expecting Grass for their Horse. On the other side, the Spaniards wanting Money and Order, left their Troops in *Flanders*, neither capable to act by themselves, nor in Conjunction with others, upon any sudden Attempt, nor to supply with Provisions, either Dutch or Germans, that should come to their Relief: and their Towns were ill fortified, and worse defended; so that the French King in April took Conde in four Days, and in May the Duke of Orleans took Bouchain, and the Prince of *Orange* besieged *Maefricht* without Success.

But neither the good Success of the French this Campaign, nor the ill Success the French Ambassadors had upon the Prince of *Orange* to induce him to a separate Peace, retarded the French

from pursuing of it; for the *French*, by their Emissaries in *Holland*, but especially at *Amsterdam*, offer such a Reglement of Trade as the People could desire; the Restitution of *Maestricht*, and all Satisfaction to the Prince of *Orange* he could pretend to upon his Loss, or their Seizures in the War. This put the Mob into a Ferment of having a separate Peace; nor could any thing have allayed it, but the noble Constancy of the Prince of *Orange*, which stood unshaken, in opposing it in all these Difficulties.

However, this Campaign the Elector of *Brandenburg*, in several Encounters beat the *Swede*, and was in a hopeful State to have expell'd them out of *Germany*; and it had been just they had been so: for the King of *England* and the King of *Sweden* were Guarantees in the Triple League at *Aix la Chapelle*, for the Preservation of the *Spanish Netherlands* against the *French King*: whereas the King of *England* stood still, only looking on, whilst the *French Arms* by Piecemeals devoured them; and the King of *Sweden*, in Conjunction with the *French King*, assisting him in the War. Put not your Trust therefore in such Princes.

The Prince of *Orange*, however his Constancy in opposing a separate Peace was unshaken, yet in the distracted State of the Confederates, and the violent Humour of the Peoples running into it, saw it was impossible to keep them out of it, unless the King of *England* would interpose his Authority further, than by being a bare Mediator, and acquainted the King with it: But the King, in a long Letter under his own hand, instead of an Answer, complained, That the Confederate Ministers in *England* caballed with Parliament-Men, and raised all Mens Spirits against Peace as high as they could, so that it was difficult for him to make any Steps with *France* towards a general Peace, unless the *Dutch Ambassador Van Beningham* would put in a Memorial pressing the King from the States, to do it; and declared, that without it, all *Flanders* would be lost.

The Prince, to comply with the King, replied how willing he was that *Van Beningham* should put in such a Memorial from the States; and that if the King pleased to have a sudden Peace, the Prince thought it must be done upon the Foot of the Treaty of *Aix la Chapelle*, which he would have the more Ground for, because it was a Peace which he both made and warranted.

Sir *William* at this time was at the *Hague*, when his Colleague Sir *Lionel Jenkins* wrote to him, That there was a Negotiation of a separate Peace treating between the *French Ambassadors* and *Beverning* (the *Dutch Agent*) at *Nimeguen*, without any Communication of it to the Mediators; upon which Sir *Lionel* acquainted the Court of *England* with it. Whereupon Orders were dispatched, That in case a separate Peace was concluding, or concluded, the Mediators should publickly protest against it in his Majesty's Name.

This

This Sir *William Temple* wrote to my Lord Treasurer, and Secretary *Coventry*, That he could not understand the Reason of such a Protestation : for if a separate Peace were thought so dangerous at Court, as he knew it was in the Country, the King might endeavour to prevent it, and had it still in his Power, as he had had a great while ; but if it were once concluded, any other Effect of such a Protestation, unless it were to irritate both Parties, and bind them the faster, by our being angry at their Conjunction, could not be expected : Nor did he know what Ground could be given for such a Protestation ; for tho the Parties had accepted the King's Mediation for a General Peace, yet none of them had obliged themselves to the King nor to treat of a separate one without his Mediation ; or if they had, he did not see why the same Interests that could make them break through so many Obligations to their Allies, should not make them as bold with a Mediator : That as to prevent the thing may be a very wise and necessary Counsel, so the King's Resolution in it ought to be signified as early as can be, where it is like to be of that moment to *France*. But if the thing should be first done, as he could not tell how well to ground any Offence, so he could as little how to seek Revenge, and it would be to stay till we were struck, and then trust to crying out : That his Opinion was, it were better to anger one of the Parties before a separate Peace, than both of them after ; and if we must strain any Points of Controversy with them, to do it rather by making a fair and general Peace, than by complaining and protesting against a separate one. But our Counsellors at Court, he says, were so in Ballance between the Desires of living at least fair with *France*, and the Fears of too much displeasing the Parliament upon their frequent Sessions, that our Paces upon the whole Affair look'd all like cross Purposes, which no Man at home or abroad could well understand, and were often mistaken by both Parties engaged in the War, as well as by both Parties in the House of Commons, till the thing was wrested out of our hands.

Upon the 5th of *January 1675*, Sir *William* received Answer from the King to his last Dispatches by the Prince's Direction, which consisted of two Parts ; the first, an Offer of the King's Entrance into the strongest Alliance with the *States*, thereby to secure them from all Apprehensions from *France*, after the Peace should be made ; the second was, the King's Remarks rather than Conclusions or Judgment upon the Terms propounded by the Prince for a Peace ; that he (the King) believed it might be compassed with *France*, upon the Exchange of *Cambray*, *Ayre*, and *St. Omer*, for *Aeth*, *Charleroy*, *Oudenard*, *Conde*, and *Bouchain*.

This Answer was so different from what the Prince proposed, so illusive, and of so little Security to the *Dutch*, that the Prince

told

told Sir *William*, that he would rather die than make such a Peace; and complained that the Offer of Alliance was wrote to him by the King's own Hand, but this about the Terms of Peace from the Secretary's Hand, which was in a Stile as if he thought the Prince a Child, and to be fed with *Whipp'd Cream*: That since all this had been before the foreign Committee, he knew very well it had been with the *French* Ambassador too, and that the Terms were his, and were a great deal worse than if they had directly come from *France*.

But the *French* King's wheedling our King and the *Dutch* about a separate Peace, no ways abated the Vigour of his Prosecution of the War whilst Peace was mediating: for, in the beginning of the Year he takes the Field with a huge Army, and block'd up *Cambray* and *Valenciennes* about the End of *February*; and having provided sufficient Magazines for Subsistence of his Forces, which neither the *Spaniard* nor *Germans* had, broke into *Flanders*, and into the Parts of *Germany* on the other side of the *Rhine*, and with the most cruel Ravages of burning and spoiling those Parts of *Germany* that could be exercised, and such as had not been used on either side since the War began. The Allies made Complaints of this new manner of making War to his Majesty (as Guarantee to the Treaty at *Aix la Chapelle*) who employed his Offices towards *France* to hinder such Proceedings; but the Thing was done, and the Point gained, which was by an entire Ruin of those Countries, from hindring the *Imperialists* from finding any Subsistence for their Troops if they should march into *Alsatia*, and thereby divert those Forces the *French* resolv'd to employ in *Flanders*, before the *Dutch* could take the Field and march to the Relief of those Places they intended to attack.

Before any *Dutch*, *Spanish*, or *German* Army could be brought into the Field, the *French* took *Valenciennes*, and laid Siege to *St. Omer* and *Cambray*: But before they had taken *St. Omer*, the Prince of *Orange*, with the Forces of the *States*, the *Spaniard* assisting him with no Forces, not so much as Guides, resolv'd to relieve it, tho with the hazard of a Battel. But the Duke of *Orleans* leaving a part of his Forces to defend the Trenches, and joining with the Duke of *Luxemburg*, with all the Troops the *French* King could send, met the Prince at *Mount Cassel*; where, after a sharp Dispute, the first Regiment of the *Dutch* Infantry began to break into Disorder: The Prince went immediately to that Place where the Shock began, rallied them several times, and renewed the Charge; but at last was born down by the plain Flight of his Men, whom he was forced to resist as Enemies, and fall in among them with Sword in hand, and cut the first over the Face, and cried out aloud, *Rascal, I'll set a Mark on thee at least, that I may hang thee at last*. But neither Voice, Action, Threats, nor Example,

ample, would give Courage to Men that had already lost it : so he was forced to recoil to those Troops which stood firm, and made so brave a Retreat, as was near equal to a Victory : So as *Flanders* had only *Mons* and *Namur* for a Frontier by Land, and *Newport* and *Ostend* by Sea. However, the Prince made an Attempt upon *Charleroy*, which did not succeed.

Hereupon the Prince seeing all Attempts against the *French* would be in vain, unless the King came in to assist the Confederacy of the Allies, sent Monsieur *Bentink* into *England*, to desire the King's Leave to make a Journey into *England* so soon as the Campaign was over ; to which he received this cold Answer, *That the Prince would first think of making the Peace, and rather defer his Journey till that were concluded.* Could any Man now believe any other Prince should be so supine as not to apprehend the imminent Danger his Nephew stood in, and in consequence his own Dominions ? And tho all the World but he saw and dreaded this, yet the King, as at the End of the first *Dutch War*, would not. This was about the beginning of *June* ; and about the middle of it, Sir *William Temple's* Son brought him Letters from my Lord Treasurer, That he should come over and enter upon the Secretary's Place, which Secretary *Coventry* had offer'd to lay down upon the Payment of 10000 *l.* and that the King would pay half the Money, and the Treasurer must lay down the rest at present ; but did not doubt but the King would find a way of easing him of that too.

What could be expected in such a Reign, where Secretaries of State, who are the Eyes of the King and Kingdom, to take Care of all foreign and domestick Affairs, which cannot be carried on without Charges, should purchase their Places, and thereby not only disable them in the Performance of their Office, but utterly to neglect it, and make it their Business how they may be Gainers by their Purchase they had so dearly bought ? But Sir *William* excused it, as not being able to raise 5000 *l.* now his Father was alive : And tho Secretary *Coventry* came cheap enough by the Place, it seems he was either unwilling Sir *William* should succeed him in it, or that he would not trust to the 5000 *l.* to be paid by the King, unless he might chuse his Successor, who, it may be, would have given him 15000 *l.* for it.

After Sir *William* came over, and the Bargain for the Secretary's Place not succeeding, the King had often Conferences with him about the Peace, and the Prince's coming into *England* : he had a great Desire for the first, but not for the other, till the first were done. He said his Parliament would never be quiet with him while the War lasted, and then leave him in it, unless they might have their Terms in removing and filling Places, which he should be very loth to be so much at their Mercy ; and that the longer the War continued, the worse it would be for the Confederates, and

and worse for *Flanders*, and therefore would have the Prince make a Peace for them if they would not do it themselves; and that if the Prince and he would fall into Terms about it, he was sure it might be done; and desired Sir *William* to make a short Turn to the Prince, and try if he could persuade the Prince to it: But Sir *William* excused it, and desired Mr. *Hide* (now Earl of *Rochester*, who was then at *Nimeguen*) might do it: but I don't find any thing came of it.

About the latter End of *September*, as before noted, the Prince took his Journey for *England*, and landed at *Harwich*, and from thence came to *New-Market*, where the Court then was; where he was kindly received by the King and Duke, who both invited him often into Discourse of Business, which the Prince avoided industriously, so as the King bid Sir *William* ask the Prince the Reason of it: the Prince told him, he was resolved to see the young Princess before he enter'd into that Affair, and get to proceed in that before the other of Peace: whereupon the King, to humour him, left *New-market* some Days sooner than he intended, and came to *London*.

The Prince, at first sight, was so pleased with her Person, and all those Signs of such a Humour as had been before described to him, that he immediately made his Suit to the King and Duke, which was well received and assented to, but upon Condition the Terms of Peace abroad might be first agreed to between them. The Prince excused himself, and said, he must end his first Business before the other. The King and Duke were both positive otherwise, that that of Peace should precede: but the Prince continu'd resolute for the former, and said, His Allies were like to have hard Terms of Peace as things stood, and would be apt to believe he had made this Match at their Cost; and for his part, he would never sell his Honour for a Wife: But the King and Duke continued in their Resolution for three or four Days.

In the Obstinacy of these contrary Resolutions between the King, Duke, and Prince, Sir *William Temple* chanced to go to the Prince one Evening after Supper, and found him in the worst Humour he had ever seen him in; and told Sir *William*, he repented he ever came into *England*, and resolved he would stay but two Days longer, if the King continued in his Mind of treating upon the Peace before Marriage; and that before he went, the King must chuse how they must live hereafter; for he was sure it must be like either the greatest Friends or the greatest Enemies: and pressed Sir *William* to let the King know so next Morning, and give him an Account what he should say upon it.

Next Morning Sir *William* told the King all the Prince had said to him, and the ill Consequences of a Breach between them, considering the ill Humours of so many of his Subjects upon our late

Measures with *France*, and the Invitations made to the Prince by several of them during the late War. The King heard Sir *William* with great Attention; and when he had done, said, Well, I was never deceived in judging of a Man's Honesty by his Looks; and if I am not deceived in the Prince's Face, he is the honestest Man in the World, and I will trust him, and he shall have his Wife, and you shall go immediately and tell my Brother so, and that is a thing I am resolved on.

Sir *William* did so, and the Duke at first seemed a little surpriz'd; but when Sir *William* had done, the Duke said, the King shall be obey'd, and I would be glad all his Subjects would learn of me to obey him.

From the Duke, Sir *William* went to the Prince, and told him all this Story: At first the Prince seem'd diffident, but soon embraced Sir *William*, and told him he had made him a very happy Man, and that unexpectedly; and so he left the Prince, to give the King an Account of what passed, and in the Prince's Ante-Chamber met my Lord Treasurer, who undertook to adjust all the rest between the King and the Prince, which he did so well, that the Match was declared that Evening at the Committee before any other in the Court knew any thing of it.

When the Match was known, the Nation entertained it with an universal Joy: yet the *French* Ambassador and my Lord *Arlington* were displeased at it; the *French* Ambassador, because he had not given his Master an Account of it; and my Lord *Arlington*, because nothing of near such moment had passed, and he not acquainted with it: and within two or three Days after, the Marriage was consummate.

The Prince having so happily gained the first part of his Design in coming into *England*, the Terms of Peace were agitated immediately, and Sir *William Temple* was admitted to be present at the Debates. The Prince insisted upon the Strength and Enlargement of a Frontier on both sides of *Flanders*; otherwise he said *France* would end this War with the View of beginning another, and carrying *Flanders* in one Campaign.

The King was content to leave that Business a little looser, upon Confidence that *France* was so weary of the War, that if they could get out of it with Honour, they would never begin another in this Reign: that the King was past his Youth, and lazy, and would turn to the Pleasures of the Court and Buildings, and leave his Neighbours at quiet.

But the Prince thought *France* would not make a Peace now, but to break the present Confederacy, and to begin another War with more Advantage and Surprize: that their Ambition would never end till they had all *Flanders* and *Germany* to the *Rhine*, and thereby *Holland* in an absolute Dependance upon them, and us in
no

no good one : and, that *Christendom* could not be left safe by the Peace, without a Frontier as he propos'd for *Flanders*, and the Restitution of *Lorain*, as well as what the Emperour had lost in *Alsatia*.

Sir *William Temple* told the King, that in the Course of his Life, he had never observed Mens Natures alter by Age or Fortune, but that a good Boy made a good Man, a young Coxcomb an old Fool, and a young Fripon an old Knave ; that quiet Spirits were so, and unquiet would be so, old as well as young ; that he believed the *French King* would have always some Bent or other, sometimes War, sometimes Love, sometimes Building ; but was of the Prince's Opinion, that he would ne'r make Peace but with a Design of a new War, after he had fix'd his Conquests by the last.

The King approv'd of what Sir *William* had said, and the Points of *Lorain* and *Alsatia* were easily agreed to by the King and Duke, but they would not hear of the Restitution of the County of *Burgundy* (tho it were part of the *Spanish Netherlands*, which the King was oblig'd to protest against *France*, by the Treaty of *Aix*) as what *France* would never be brought to ; yet the Prince insist'd much upon it ; which the King imagin'd was by reason of the Prince's own Lands in that Country, (which are greater and more *Seignurial* than those of the Crown of *Spain* there) and thereupon the King told the Prince, That for his Lands there, he would charge himself, that the Prince should enjoy them as safe under *France* as under *Spain* ; or if the Prince would part with them, the King would undertake to get him what Price he would value them at : to which the Prince generously reply'd, That he would not trouble himself nor the Peace about that matter ; and that he would be content to lose all his Lands there, to get one good Town more for the *Spaniard* upon the Frontier of *Flanders*. So here the King and Prince agreed.

But then another Debate arose between the King and Prince, one pretending *France* would never be brought to this Scheme, the other that *Spain* would never be brought to it ; but at last it was agreed, that the Peace should be made upon these Terms : All to be restored by *France* to the Emperor and Empire, that had been taken in the War ; and the Duchy of *Lorain* to the Duke, and all on both sides between *France* and *Holland* : and to *Spain*, the Towns of *Aeth*, *Charleroy*, *Oudenard*, *Courtray*, *Tournay*, *Conde*, *Valenciennes*, *St. Gillain* and *Binch*, which were nine Towns : that the King shall endeavour to procure the Consent of *France*, and the Prince of *Spain* : And to this purpose, the King should send some Person immediately over with the Proposition, who should be instructed to enter into no Reasoning upon it, but demand a positive Answer in two Days ; and after that term, immediately return. And then the King order'd Sir *William* within two Days to make himself ready to go and acquaint the *French* with it,

At this Agreement between the King and Prince none were present besides the Duke, my Lord Treasurer, and Sir *William Temple*, so as the *French Ambassador* was as much surprized in it, as before he was at the Marriage of the Prince : but this could not be longer conceal'd from him, than when it began to be put in Practice ; yet it seems to me he was acquainted with it before, and that the King had taken other Resolutions than what was agreed upon but the Day before.

For Sir *William* having prepared all things in a Readiness to go, the Evening before, he met the King in the Park (St. *James's*) who call'd to him, and told him he had been thinking upon Sir *William's* Errand, and how unwelcome he should be in *France*, as well as the Message ; and that having a Mind to gain Peace, he was unwilling to anger them more than needs : besides, the thing being not to be debated or reasoned, any Body else would serve the Turn as well as he, whom he had other use of. Sir *William* was very glad of it, knowing how ungrateful a Messenger he should be upon this Account. Then the King asked Sir *William* what he thought of my Lord *Duras*, (a *French-man*, and a great Favourite of the Duke's, and since Earl of *Feversham*.)

It seems the King asked Sir *William's* Opinion only for Form and Fashion sake, for the thing was the Morning before agreed upon, at the Desire of the Duke, upon pretence that *France* would accept of the Terms, and that he had a Mind to have the Honour of it by sending a Servant of his own. So my Lord *Duras* went immediately after with the Orders ; and some few Days after, the Prince and Princess embarked for *Holland*, where Affairs pressed his Return, beyond the Hopes of my Lord *Duras* from *France*, the King assuring the Prince he would never part with the least part of the Scheme sent over, and would enter into a War with *France*, if they refused it. But (*pudet hæc*) you'll soon see another Face of Affairs after the Prince was gone ; nay before he went, it was a great Mortification to him, to see the Parliament prorogued till the next Spring ; which the *French Ambassador* had gained of the King, to make up some good Meen with *France*, after the Prince's Marriage, and before the Dispatch of the Terms of a Peace to that Court. I should not have ventured to say this, if that honourable Gentleman Sir *William Temple*, in his second *Memoirs*, which are printed, fol. 302. had not said it before.

But how honourable and sincere soever the Prince's Actions were in the Management of this whole Affair, the outward Face of things had another Appearance, which caused great Jealousies of him, not only among the *Amsterdammers*, and Common People in *Holland*, but even among the Confederates ; for the Prince sending

sending Monsieur *Bentink* privately over into *England* about the beginning of *June*, and Sir *William Temple* so soon after following, and the Prince's raising the Siege before *Charleroy* the next day after my Lord *Ossory* came to his Camp, and the Prince's going in *September* following into *England*; these things thus concurring, passed not without many Reflections, not only in *Holland*, but among the Allies, as if there were Intelligences between the King and him, which were heightened by the Marriage; the main Business of the Treaty made by the King and Prince about the Peace being yet in *Embryo*; so as the Prince and Princess were coldly received in *Holland* upon the Prince's Return; and these Jealousies encreased more upon the Transactions between the *English Court* and *France*. But sacred Truth, and the Integrity of the Prince, shall vindicate his Honour, even among those who most suspected him, and were so jealous of his Actions.

The Noise of a Peace with *France* so soon after the proroguing the Parliament, raised a Ferment in the Nation, of some Design of the Court, as dangerous to the Nation as the *Dutch* Jealousies that their Liberties were in by the Prince's Treaty and Marriage with a Daughter of *England*. And now the Prince was gone, and out of Sight, he was out of Mind too by the King, in respect to the Terms of Peace agreed to, and the solemn Promise the King made to the Prince upon his Departure, that he would never part with the least Point in the Scheme sent into *France*, and make War upon it if it were refused.

For upon my Lord *Duras's* Arrival at *Paris*, the Court were surprized, at least seemed so, both at the thing, and more upon the manner of it; yet made good Meen upon it, took it gently, and said, *The King (of England) knew very well he might be always Master of the Peace: but some few Towns in Flanders seemed very hard, especially Tournay, upon whose Fortifications such vast Treasure had been expended; and that they would take some short time to consider of the Offer.* But my Lord *Duras* told them he was tied to two Days stay, but when that was out, was prevailed upon to stay some few Days longer, (*which he durst not have done without secret Orders from our Court contrary to his Instructions*) and at last came away without any positive Answer. Hereupon the King, instead of declaring War against *France*, as he so solemnly promised the Prince, entred into a Treaty with the *French Ambassador* at *London*, which by *French Artifice* was so spun out in length, without any positive Refusal, that the Blow came to be eluded which could not otherwise be avoided, as Sir *William Temple* says, *tho I believe it was intended even when the Prince went out of England.*

However, about the latter end of *December 1677*, the King sent to Sir *William Temple* to the Foreign Committee, and told him he

could get no positive Answer from *France*, and therefore resolved to send him into *Holland*, to make a League there with the *States* for forcing *France* and *Spain* into a Peace upon the Terms proposed, if either refused. To which Sir *William* told the King, what he had agreed was, to enter into a War with all the Confederates in case of no direct and immediate Answer from *France*. That this perhaps would satisfy the Prince and Confederates abroad, and the People at home: But to make such a League with *Holland* only, would satisfy none of them, and disoblige both *France* and *Spain*. Besides, it would not have such an Effect or Force as the Triple Alliance had, being a great Original, of which this seemed an ill Copy: And therefore excused himself from going. And so the King sent Mr. *Thyn* with a Draught of the Treaty to Mr. *Hide*, who was then come from *Nimeguen* to the *Hague*, upon a Visit to the Princess, which was done, and the Treaty signed the 16th of *January*, (tho not without great Disatisfaction to the Prince.)

This Tergiverfation of the Court set fire to the Jealousies in *Holland*, especially at *Amsterdam*, that the Prince by this Marriage had taken Measures with the King as dangerous to the Liberties of *Holland*, and make it there believed, that by this Match the King and Duke had wholly drawn the Prince into their Interests and Sentiments. The *French* hereupon proposed other Terms of Peace to the *Dutch*, far short of the King's, and less safe for *Flanders*, restoring only six Towns to the *Spaniard*, and mentioning *Lorain* but ambiguously, which would not have gone down in *Holland* but for the Suspicions raised by the Prince's Marriage among the People there, who had an incurable Jealousy of our Court, and therefore upon not that Confidence in the Prince that he deserved.

If we take this Reign as one thing, you'll find it made up of almost infinite Confusions and Disorders, and scarce one regular Act in it; and now we are come to one which is without any Precedent, which was this: You heard before how the King to gratify the *French* Ambassador for not acquainting him with the Marriage with the Prince, had prorogued the Parliament to the 8th of *April* next, viz. 1678. And now Mr. *Thyn* had made this League with the *States*, the King thought this a good occasion to get Money from the Parliament upon it, and was loth to stay till the 8th of *April* for it; and therefore by his Proclamation, commands the Parliament to meet upon the 15th of *January*, before the 8th of *April*.

Prorogations of Parliaments are new, and I think were never heard of in *England* before the Reign of *Henry VIII*, and are said to be the Acts of the King, but Adjournments the Acts of the House to a certain Time and Place, and both Houses must be sitting and in being when they are either so prorogued or adjourned. I remember upon the discovery of *Clelman's* Letters the Court were

were mightily surprized at it, and the Parliament was to have met some few days after upon a Prorogation, which the King in that Surprize unwilling they should, did therefore call a Council to advise whether he might not prorogue them to a further day without the Houses meeting, and 'twas said my Lord Chancellor *Finch* was of Opinion he might; and thereupon Sir *Edward Seymour*, Speaker of the House of Commons, having Occasions in the Country, went out of Town: but some body acquainted the King of the Doubtfulness of the Chancellor's Opinion, and desired the King to advise with old *John Brown*, who had been Clerk of the Parliament for near forty Years; the King did so, and *John Brown* was positive, that in case the Houses did not meet at the Time and Place appointed, the King by his Proclamation could not prorogue them, but it would be a Dissolution of the Parliament: Whereupon the Speaker was sent for back again, and so many of both Houses met as would make a Parliament (which it's said is forty Commoners and seven Lords) and then the King prorogued them. But this Consideration was not (that I find) taken notice of by either House, tho both met according to the King's Proclamation.

The Houses thus met, the King acquainted them with the League he had made with *Holland*, and demanded Money of them to carry on the War against *France*, in case *France* did not comply with the League; whereupon the Parliament granted him a Tax by Poll, and otherways, which amounted to 1200000 *l.* nor for Peace, but to enter into an actual War with *France*: But this Tax shall only beget another, to disband an Army raised upon that Pretence, tho no War was entred into against *France*.

But so far was the *French* King from giving up any Towns, notwithstanding the Agreement the King had made with the Prince, or the League he had made with *Holland*, that about the latter end of *January* he had made an Attempt upon *Ipre*, and threatned *Ostend*, and in *March* following, by open Force, takes both *Ipre* and *Gaunt*; yet the *French* Ambassador here continued his Court and Treaty with all the Fairness that might be.

The *French* having now taken *Ipre* and *Gaunt*, were so far from proceeding in any Treaty either with *England*, the Confederates, or *Holland*, or in the Treaty at *Nimeguen*, that about the first of *April* the *French* King made publick Declaration of the Terms upon which he resolved to make Peace, which, tho very different from those agreed upon between the King and *Holland*, and more from the Pretensions of the Allies, yet this way of treating the *French* pursued in the whole Negotiation afterwards, declaring such and such were the Conditions, which they would admit, and no other, and upon which the Enemies might chuse either War or Peace, and to which *France* would not be tied longer than the 10th of *May*,

May, after which they would be at Liberty to change or restrain as they should think fit.

But how imperious soever the *French* were abroad, yet they dreaded a Conjunction of *England* either with the *Dutch* or Confederates, and therefore thought fit to wheedle our Court till the Affairs of the Confederates should become so desperate as to submit to what Terms the *French* King should impose upon them: And to this purpose Mr. *Mountague* (now Earl) sent a Pacquet to my Lord Treasurer, giving an account of a large Conference Monsieur *Louvois* (the *French* King's grand Minister of State) had with him by the King his Master's Order, wherein he represented the Measures they had already taken for a Peace in *Holland* upon the *French* Terms; and that since they were agreed there, they hoped his Majesty would not be against it: That however, *France* had ordered him to make his Majesty the Offer of a great Sum of Money for his Consent, tho the thing was already accepted by *Holland*, and wherein his Majesty was consequently not concerned.

The *French* Ambassador at *London* (confident this Bait would take the King) began to change his Language, *That his Majesty should be Arbiter of the Peace*: But now being assured his Master had agreed with *Holland*, he seem'd to wonder and expostulate why the King should pretend to obtain better Terms for the *Spaniards* than the *Dutch* their Allies were content with.

You have heard the Agreement between the King and Prince before he went into *Holland*, as well on the behalf of the Empire and Duke of *Lorain*, as of the *Spaniards*, and how it was not observed by the King, and of the time when the Prince arrived in *Holland*, and of the unjust Jealousies had upon the Prince thereby, as well by the Confederates as by the *Dutch*, and of the separate League the King made with the *States*, for enforcing the *French* to come up to the Agreement between the King and Prince of *Orange*, and how the King had got twelve hundred thousand Pounds of the Parliament for entering into an actual War with *France*, and how the *French* King, in defiance of the King and *States*, instead of giving up any Towns, had taken *Ipre* and *Gant*, as well contrary to this Agreement and League as to the Treaty of *Aix*: Now let's see how the King proceeded, after the *Dutch*, contrary to the League with the King, had accepted the *French* Terms.

Having got the Money of the Parliament for making the League with the *Dutch*, upon the Terms agreed upon by the Prince, he now saw no reason why he should not get the Money the *French* offer'd him if he would agree to the Terms he had made with the *Dutch*, and to that purpose order'd Sir *William Temple* to treat upon it with the *French* Ambassador, who had Orders to that purpose:

Sir

Sir William would have excused it, but the King told him he could not help seeing him, for the Ambassador would be at his House next Morning by seven a Clock, and then he came, but Sir William told him he had been very ill in the Night, and could not enter into Business; so the Ambassador was disappointed of his Design at that time: However the Bargain went on, not only for the Money, but something else, so that Sir William Temple says, p. 321. There was one Article in this private Treaty the King took such Indignation at, that he would never forget it whilst he lived.

There was but one Accident favourable to the Confederates in all these Treaties, viz. the French apprehensive of a Conjunction between the English and Dutch, who at this time were much more powerful at Sea than France, thought they might block up Messina by Sea, while the Spaniards besieged it by Land, and so might lose all the Cannon, Provisions and Stores they had in it; to prevent which, they abandoned it while it was in their Power to secure their Effects there, and left the Messinians their Confederates to the Mercy of the Spaniards.

Beverning was the Agent which managed this Treaty upon the French Terms, and Beverning was sent to the French Camp, where the Terms of Peace were concluded about the latter end of June, and a Cessation of Arms for six Weeks, that the Spaniards might come into the Peace upon the Terms proposed: But if they should not, his most Christian Majesty assured the States, that he would always provide such a Barrier in Flanders, as they thought necessary for their Safety; and after the Peace should be made, and the ancient Amity restored, he would be ready to enter into such Engagements with them as should for ever secure their Repose and their Liberties, viz. he would be the Fox that should preserve these Geese.

Indignation will not suffer this to pass over without Reflection, that the World may see what Trust is to be given to French Faith. Did not he make this War upon the Dutch, only because of the ill Satisfaction he had of the Dutch Behaviour toward him, being risen to that degree, that he could no longer, without Diminution of his Glory, dissemble his Indignation against them, &c. and therefore resolved to make War against them by Sea and Land? Did he not in the beginning of this War, by all French Artifice, court the Prince of Orange to take upon him the Sovereignty of the Dutch Provinces? Did not his Ambassadors court Sir William Temple, Pensioner Fagel, and the Dutch themselves, and that the Prince should make what Terms he pleased, so as to make a separate Peace? And now he is making a separate Peace with a pack of factious Dutch, of the Louvestein Faction, opposite to the Prince, to wheedle them, that after the Peace was made he would enter into such Engagements with them as should for ever secure their Repose

pose and their Liberties, meaning to depose the Prince from having any Power or Authority with them.

In this hopeful Security of this Faction relying upon French Faith, the Marquess *de Balbases* proposed when the six Towns in *Flanders* should be given up to the *Spaniard* upon the French Terms to which the French Ambassador answered, That his Master being obliged to see an entire Restitution made to the Swede of all they had lost in the War, could not restore the Towns in *Flanders* to the *Spaniard*, till those to the Swede were likewise restored. So that now the Dutch by this separate Peace must only stand still and look on, if the King of *Denmark*, and the Elector of *Brandenburg* will not deliver the Towns they had taken from the Swede, which is like they would not, nor could the Dutch compel them, while the French take all *Flanders*, and impose what Terms they please upon the rest of the Confederates.

Beverning could not tell what to say to this, and acquaints the States with it; the States were confounded at it, and could neither tell what to do, nor to whom to complain: To the Confederates they were ashamed to complain, who had so generously entered into the War for their Preservation, when otherwise they had sunk under the French Tyranny without possibility of Relief, and therefore had great reason to be offended at their endeavouring to make a separate Peace, thereby to expose them to the Fury and Tyranny of the French Arms; and the Counsels of the Court of *England* were so loose that no Reliance could be had upon them: But it was *Hobson's Choice*, that or nothing.

That we may take all fair before us, let's now see the Fruits the Dutch had of their Cessation of Arms for six Weeks, to try if they could bring in the *Spaniard* to comply with the Terms which the French had imposed upon *Beverning* and his Faction, for restoring six of the nine Towns to the *Spaniard*, which was agreed upon between the King and Prince, and also by the League which the King made with the States: The French King after he had taken *Ipre* and *Gaunt*, *Luxemburg* proceeded to block up *Mons*, and *Schomberg* threatened to besiege *Cologne*: and thus the Dutch bound Hand and Foot had no body else to complain to, or expect any Relief from, but the Court of *England*.

The Dutch had a little before sent over one *Van Lewen*, who was the chief of the Town of *Leyden* (who Sir *William Temple* says, was a Man of great Honour and Worth) to treat with the King to enter into a War against *France*, which the King was obliged to by the League with them, and had received 1200000 *l.* of the Parliament for carrying it on; and by *Van Lewen* the States acquainted the King with the Terms upon which the French King would restore the six Towns in *Flanders* to the *Spaniards*: the King at first seemed not to believe it, but having sent to the French Ambassador

(*Barillon*)

(*Barillon*) to know the Truth of this; which the Ambassador owning, he seemed surprized and angry at this proceeding of *France*, and next Morning sent for Sir *William Temple* to the Foreign Committee, and there declar'd his Resolution of sending him immediately into *Holland* with a Commission to sign a Treaty with the *States*, by which they should carry on the War, and the King to enter into it in case *France* should not consent to evacuate the Towns within a certain time limited; and the King took Pains to press *Van Lewen* to go over with Sir *William* to perswade the *States* of the King's Sincereness and Constancy to pursue these Measures to the utmost of his Power.

Armed with these Powers, away goes Sir *William* and *Van Lewen*, and were received with all imaginable Joy by the *Dutch*; and Sir *William* by the Prince, hoping by his Errand and Success of it, either to continue the War, or to recover such Conditions of Peace for his Allies as had been forced out of his Hands by force of a Faction begun at *Amsterdam*, and after spread into the rest of the Provinces: All the Provinces, even those which were so forward for the Peace upon the *French* Terms, were so forward in this Negotiation, that in six days the Treaty was concluded; by which *France* was obliged to declare within fourteen days after the Date thereof, that they would evacuate the *Spanish* Towns, or in case of Refusal, *Holland* was engaged to go on with the War, and *England* immediately to declare it against *France* in Conjunction with *Holland*, and the rest of the Confederates. Here observe, that tho Sir *William* was one of the Mediators of Peace at *Nimeguen*, yet whilst this Negotiation was perfected, his Post was to be at the *Hague*, for a Tale depends upon it.

The Wisdom, as well as the Integrity of the Prince in the whole Negotiation of this Affair, was now so conspicuous, that the *States* owned the Prince had made a truer Judgment than they had done of the Measures which they were to expect either from *England* or *France*; and if it happens that *England* in this Business shall prove as fickle and loose as before, yet this shall never be ascribed to the Prince, who was always the same he was before. So now all Preparations were made for the Relief of *Mons*, and ten thousand *English* being arrived in *Flanders*, who were ordered to join the Prince, he resolved to relieve *Mons*, or to die in the Attempt.

After the Treaty concluded, and signified to *France*, all Arts that could be were on that side employed to elude it by drawing this Matter into a Treaty, or into greater length, which had succeeded so well in *England*, that they offered to treat upon it at *St. Quintin's*, then at *Gaunt*; but the *States* were firm, not to recede from their late Treaty made with the King, and

and so continued till about Five Days before the Term was to expire.

You heard before how the King had solicited *Van Lewen* to accompany Sir *William Temple*, to assure and persuade the *States* to pursue the Measures Sir *William* and he went upon to their utmost : but alas, now when Sir *William*, as well as the Prince, were out of Sight, they were out of Mind too ; and now Sir *William* was gone, he forgot the Indignation which *Barillon* had put upon him in the Treaty for the *French Money* he was to receive for joining in the *French Terms* with the *Dutch* ; which he then said he would never forget so long as he lived. But now you shall see how absolute a Dominion the *French King* had over him, and by what Instruments he governed him, viz. a *French Man*, a *French Woman*, and a *French Monk*, who had changed his Frock for a Petticoat : The *French Man* was *Barillon*, the *French Woman* was the *Dutchess of Portsmouth*, and the *French Monk* was one *Du Croß* : These three met the King in the *Dutchess of Portsmouth's Chamber*, and in one hour's time agreed, that *Du Croß* should carry Sir *William Temple* a Pacquet, wherein the King commanded him to go immediately to *Nimeguen*, and there endeavour all he could to persuade the *Swedish Ambassadors*, as from the King, to let the *French Ambassadors* there know, That they would, for the Good of *Christendom*, consent, and even desire the *French King* no longer to defer the Evacuation of the Towns, and consequently the Peace, upon the sole Regard and Interest of the Crown of *Sweden*; and Sir *William* was likewise commanded to assure the said Ambassadors, that after the Peace his Majesty would use all the most effectual Means he could for the Restitution of the Towns and Countries the *Swede* had lost in the War. This was to get Sir *William* out of the way, who spirited the *Dutch* in the Action, that *Du Croß* might play his Pranks in the rest.

But before *Du Croß* had brought his Pacquet to Sir *William*, he had gone about most industriously to the Deputies of the several Towns, and acquainted them with it, and that the Terms of Peace were absolutely agreed upon between the two Kings : That he had brought Sir *William's* Orders straight to get to *Nimeguen*, and that upon his Arrival there he should meet with Letters from my Lord of *Sunderland* (the King's Ambassador at *Paris*) with all the Particulars concluded between them.

Sir *William* followed his Instructions, and when he came to *Nimeguen* there were but three Days of the Term fixed by the late Treaty between the King and *States* at the *Hague*, either for the *French Assent* to the Evacuation of the Towns, or for carrying on the War in Conjunction of *Holland* with *England*, and consequently with the rest of the Confederates, but there found no Letters from my Lord *Sunderland* of the Particulars of the Peace concluded

was to ex-cluded between the two Kings ; but on the contrary a *Manifesto*
 Lewen to the *Dutch* by the *French* Ambassadors, why their Master could
 ne States not consent to it, without the previous Satisfaction of *Sweden*,
 their use whose Interests he esteemed the same with his own ; but yet de-
 nce, were claring he was willing to receive any Expedients the *States* should
 r William offer in this matter either by their Ambassadors at *Nimeguen*, or
 put upon such as the *Dutch* should send his most Christian Majesty at *St.*
 for join-*Quintin* or *Gaunt*.

The *Dutch* Ambassadors gave an Answer in writing, declaring it
 said he was a Matter no longer entire, since upon the Difficulty raised
 t see how about the Evacuation of the Towns, the *States* their Masters had
 by what been induced to sign a Treaty with *England*, from which they
 Woman could not recede, nor from the Day therein fixed for the determin-
 teticcoat- ing the Fate of War or Peace ; and as there was no Time, so
 Dutchesi there could be no Deputation to *St. Quintin* or *Gaunt*, nor any
 : There other Expedient besides the Consent of *France* to evacuate the
 nber, and Towns.

The *Dutch* Ambassadors having blown off this Chaff, the *French*
 r William Ambassador then declared to the *Dutch*, that they found the King
 to go in- their Master was resolved at the Desire of the *Swedes* to retard
 to per- the Peace no longer upon their Consideration, and would consent
 lét the to evacuate the Towns, upon Condition the *States* would send
 he Good their Deputies to treat upon the Ways of securing the future
 g no lon- Satisfaction to *Sweden*, which was by both intended : But the *Dutch*
 ntly the Ambassadors continued peremptory, there could be no Deputation
 Sweden; made by their Masters ; and if the Term fixed by the late Treaty
 said Am- with *England* should elapse, there was no remedy but that the
 the most War must go on : to which the *French* Ambassadors replied, *That*
 wns and their Hands were bound up from further proceeding without such a De-
 o get Sir putation.

Whilst the *French* were thus wheedling with the *Dutch* to elude
 William, he the Term fixed for the *French* evacuating the Towns, at the same
 e several time *Luxemburg* pressed *Mons*, and *Schomberg* seemed to threaten
 of Peace *Cologn* ; when the fatal Day came, whether a sudden Peace or long
 t he had War were to be reckoned upon in *Christendom*, when *Boreel* came
 and that early that Morning from *Amsterdam*, to the *Dutch* Ambassadors at
 ny Lord *Nimeguen*, which were *Beverning* and one *Haren* ; and then *Boreel*
 the Par- went to the *French* Ambassadors, and after some Conference with
 them, the *French* Ambassadors and *Boreel* went immediately to
 those of *Holland*, and declared to them that they had received Or-
 ders to consent to the Evacuation of the Towns, and thereupon to
 sign the Peace ; and that very Day at Night, tho late, *Beverning*
 signed a Treaty of Peace and Commerce, Sir *William Temple* and
 Sir *Lionel Jenkins* refusing to join in it, and the Confederates ex-
 claiming against it.

The

The next day after this Peace was thus signed, came an Express to Sir William Temple from our Court, with the Ratification of the late Treaty between the King and States, with Orders immediately to proceed to the Exchange of them; whereupon Sir William went from Nimeguen to the Hague, and the next Day after his Arrival made an Exchange of the Ratifications.

Now was Holland in as much Disorder as the Confederates were at Nimeguen; the Pensioner and several of the Deputies were as much dissatisfied with Beverning's Peace, as the Confederates were, and said he could not sign the Peace before he had acquainted the States with it, and received new Orders there upon it; and talked of calling him into Question for it, and of disavowing what he had done, and thereupon of having recourse to the Treaty made with the King, which they now ratified.

But the Deputies of Amsterdam, with whom others joined, declared their Satisfaction of the Conclusion of the Peace made by Beverning, and argued the Weakness of their Confederates, especially Spain; and the Unsteadiness, and Irresolution of England, had made the Peace absolutely necessary to Holland: But however, this Confusion, and indeed the Fate of Christendom, were the Consequences of Du Croix's Pacquet, and his acquainting the Deputies with a Peace made between the two Kings; yet how dishonourable soever this was to the King, he was not at all concerned at it that I can find; but pleasantly told Sir William Temple, That the Rogue Du Croix had outwitted them all. Could this be believed, if the great Authority of Sir William Temple had not said it?

During these Brawls, both at Nimeguen, and all Holland over, the Prince of Orange, upon the Fourteenth of August, stormed Luxemburg's Camp before Mons, wherein the brave Duke of Monmouth, and the noble Earl of Ossery were Partakers in the Glory of it: and notwithstanding the French Posts were fortified with all imaginable Art, and that the Prince's Army had undergone the Fatigue of a hard March, attack'd them with a Resolution and Vigour that at first surprized them, and after an obstinate Fight, so disordered them, that though the Night prevented the further Prosecution of the Action, yet it was generally concluded, That if the Prince had been at Liberty next Day to have pursued the Action with seven or eight Thousand English, who were ready to have joined him, he might in all Appearance, not only have relieved Mons, but have made such an Impression into France, as had been often designed, but could not be done before: And I dare say, if Luxemburg had had the like Advantage over the Prince, the Dutch would have heard further of it; but the Prince was bound up by a limited Authority, and so could not pursue the Advantage he had acquired against the French.

The Success of the Battel at Mons, though the Prince's Army were withdrawn, gave new Life to the *Spaniards* and Confederates, that the War would go on according to the Ratification of the Treaty at the *Hague*, exchanged the Day before the Fight, by Sir *William Temple* and the *States*, whereas *Beverning's Peace* at *Nimeguen* was concluded without the *States*; besides, *English Forces* arrived daily in *Flanders*, as if the King were now resolved to join with the *Dutch* in carrying on the War pursuant to the League; which made the Confederates as well as the *Spaniards* refuse to agree to *Beverning's Peace*.

Besides, neither the *French Pretensions* to the County of *Beaumont*, and the Town of *Bouvignes*, nor in what Plight the six Towns should be delivered up, whether demolished, or in the Plight they then stood, nor the Dependences upon the Six Towns were adjusted by *Beverning's Peace*: But this Hope of the *Spaniards* and Confederates shall cost them dear, and only serve to advance the *French Terms*, and intolerable Ravages of the *French* upon them.

For the *French* cared little for the Confederates in Disjunction with the *Dutch*, and as little for the *Dutch*, when he had obtained his Ends upon the Confederates; and therefore the *French* fall to their wheedling Trade again with the *Dutch*; and the *French King* sent a Courier to *Nimeguen*, to satisfy the *States* in those Clauses of the Treaty, wherein they seemed justly to except against *Beverning's* Conduct, thereby to cover the Credit of that Minister who had been so affectionate an Instrument in the Progress of the Treaty; and gave them (the *States*) Liberty a little to soften the Rigour the *French* had as yet exercised in the smallest Points contested with the *Spaniards*; and at last dispatched an Express to the *Dutch* Ambassadors, with Power to remit all the Differences which obstructed or retarded the Conclusion of the Treaty between *France* and *Spain*, to the Determination of the *States* themselves.

This Bait these Gudgeons swallowed as if no Hook had been in it; so that several Towns and Provinces proceeded with a General Concurrence to the Ratifications of the Peace, that they might lie ready in their Ambassadors Hands to be exchanged, when that of *Spain's* should be signed; and so diligent was *Beverning* in carrying on the *French* Designs, now they were thus entertained in *Holland*, that they huddled up the Treaty between *France* and *Spain*, and by the twentieth of *September*, the Ratifications of it were exchanged with the usual Forms, and now the *Dutch* Ambassadors are become Mediators of (or Conspirators in) this Treaty, whilst Sir *Lionel Jenkins*, the King's Mediator, only stood still looking on and having no Hand in it; and all the Ambassadors of the other Allies, as well as the *Spaniard*, enraged and exclaiming against it.

During this Conspiracy, the *French Troops* made Incursions into the rich Parts of *Flanders*, which had been covered in the time

of the War; and there exacted so great Contributions; and made such Ravages where they were disputed, that the *Spanish Netherlands* were more ruined between the signing of the Peace, and the Exchange of the Ratifications, than they had been in so much time during the whole Course of the War. At last the Outcries and Calamities of the poor *Flemings* moved the *Spaniards* out of their slow Pace, so that they were forced to accept of the Terms the *French* and *Dutch* would give them.

And now the *Dutch* had done the *French* Work with *Spain*, they will do the rest without the *Dutch*; and piece-meal made the Duke of *Lorraine*, the Emperour and King of *Denmark*, and all the Princes of the Empire submit to such Terms as the *French* pleased: The Particulars and manner of it, you may read in the second part of Sir *William Temple's* Memoirs, which are printed.

And now the *French* King had by the Help of the *Dutch*, made his Market by the Peace at *Nimeguen*, let's see how he improved it after: The *French* King sets up a Court of Claims in *Alsatia* and *Flanders*, to determine the Dependences upon those Towns, which he kept by the Treaty of *Nimeguen*, both in *Flanders* and *Alsatia*, where he is sole Judge, and executes his Judgments by Military Execution: It's scarce credible the Ravages he made hereby, and what Titles he set up: I'll give but one Instance herein, mentioned by Sir *William Temple*, p. 370. The Town of *Tournay* was to have been given up to the *Spaniard* by the Agreement made between our King and the Prince; this was left out in the *French* Terms accepted by the *Dutch*; and *Aeth* was to be one of the six Towns to be delivered up to the *Spaniard* by the *Dutch* Terms with the *French*; and the *French* had dismembered above sixty Towns which were dependent upon *Aeth*, and added them to the *Chatellence*, or Bailiwick of *Tournay*; and were thus belonging to *Aeth*, when the *Spaniard* transferred *Aeth* to the *French* by the Treaty of *Aix la Chapelle*: but now *Aeth* must be restored to the *Spaniard* in the Condition they left it, and now what they found it: So that by these Acquisitions which the *French* got by this Treacherous Peace, he got more in Consequence, than by the War.

C H A P. IV.

A Continuation of this Reign, to the End of the Oxford Parliament.

When the Parliament had given the King 1200000 *l.* for carrying on an actual War against *France* in *January* last, the Popish Plot was then in *Embryo*, and the Parliament were so mortified by the Answer which the King made to them upon the twenty eighth of *May* before, for advising him to enter into a League with the *States General* of the *United Provinces*, against the Growth and Power of the *French King*, and Preservation of the *Spanish Netherlands*, &c. that they never durst meddle more in it; and it may be concurred more readily in giving the King 1200000 *l.* for carrying on the War against *France*, upon the League which he had made at the *Hague*, by Mr. *Thyn*, though Sir *William Temple* refused to have any Hand in it, as is said before.

The Commons in Parliament for the first ten Years of this Reign were *Tories*, and all their Business was against the *Protestant Dissenters* from the Church, scarce taking notice of the *Papists*, till the Breach of the Triple Alliance; the second Marriage of the Duke of *York*; the second Indulgence for Liberty of Conscience; the Attempt upon the *Smirna Fleet*; the shutting up of the *Exchequer*; and the King's making War upon the *Dutch* in Conjunction with the *French*: these thus successively acted, opened the Eyes of the greater part of the Commons, that for their own and the Nation's Safety, they became more numerous in the House than the *Tory Party*; yet retained their Loyalty to the King, I verily believe, as firm as any *English Men* before them.

But out of the House the Feuds of the *Tories* and *Whigs* were as inveterate, as those between the *Guelphs* and *Gibelines*, which for three hundred Years involved *Germany* and *Italy* in intestine Wars: The *Tories* cry'd up the Court, and the Court countenanced them; and the *Tories* having the Dominion of the Press, printed all Sorts of Irritating Libels against the *Whigs*, and if the *Whigs* answered, they were prosecuted for printing *Illicite*; when the *Tories* could make no other Reply, but that the *Whigs* were running back to 1641.

The *Tories* had got a new invented Doctrine of inconsistent Terms, called, *Passive Obedience*: I would willingly be informed in the Grammatical Construction of these two Words, how a Noun Adjective or Participle, can alter the Signification of a Noun Substantive; for if any one be subject to another, and be commanded

or forbidden by this other, it is Disobedience if he does not the Command of this other : How therefore Passive joined to Disobedience, can make it Obedience, had need of a better Interpretation than what the *Tories* give ; which is, if you cannot obey, you must suffer : But this is another Proposition ; and so Disobedience here is Disobedience still ; and the true Construction of *Passive Obedience*, is Disobedience, and be hang'd for it.

The *Tories* and *Whigs* in these Feuds, were apt to take Fire and divulge, nay it may be invent Stories of one another, and the *Popish Party* nourished Designs against both ; and being countenanced by the *Tory Party*, in the Interval between the Prorogation of the Parliament which met by Anticipation (as Sir *William Temple* calls it) in *January 1677*, made a great Outcry, which was blazed by the *Tories*, That there was a Design by the *Whigs* of killing the King : but it happened, Mr. *Hawles* says in *Fitz-Harris's Trial*, f. 3. to be in such a Place and Manner, as afterwards *Oates* discovered the *Papists* intended to have done it.

Hereupon Mr. *Cleypole* (*Oliver's Son-in-law*) was imprisoned in the Tower, (the Place you'll see, where the *Papists* acted all their Designs) for designing to kill the King ; and in *Trinity Term 1678*, Mr. *Cleypole* had an *Habeas Corpus* to the King's Bench, and was brought up in order to be bailed, and produced Persons of Worth to bail him ; but the Penalty of the Bail set by the Court was so high that the Bail refused to stand, and Mr. *Cleypole* was remanded to the Tower : But the Term after, when the Matter of which he was accused, appeared to be the Design of other People, he was let go, for fear the Examination of it should go further in proving the *Popish Plot* than any thing at that time discovered ; and therefore no further Inquiry was made on whose, or on what Evidence he was committed.

The first who gave Light to the *Popish Plot* was *Titus Oates*, which if it had depended upon his single Testimony, had not like to have gone any further, the Court and *Tories* being so industrious to ridicule it, if some other Accidents should not make *Oates's* Testimony more credible : *Oates* therefore refers himself to *Coleman's Papers*, where the whole Design would appear to have been carried on for the last five Years.

The Court could not but inquire into the Truth of this, but proceeded so slowly in it, that *Coleman* had time enough to convey away all the Papers of his last 2 Years, with his Book of Entries of them, tho his Servant *Boatman* upon his Examination deposed, he saw *Coleman's* Book of Entries but two Days before *Coleman* was made Prisoner, and that he had usually Letters every Post from beyond Sea : However the Letters which were found, amazed the greater Part of the Council.

But tho these Letters began this Plot in the Year 1673, yet it is evident by the Testimony of *Florence Wyer*, who was a Roman Catholic,

tholick, that a Popish Plot was carried on in *Ireland*, in the Year 1665 and 1666, and brought to Maturity in the Year 1667. For Col. *Kelly* and Col. *Bourn* were sent into *Ireland* from the *French King*, with a Commission to muster as many Men as they could, the *French King* promising to send an Army of Forty Thousand Men, to establish the Roman Catholick Religion, upon St. *Lewis's* Day in *August*: But the *French King*, as before noted, had other Designs in his Head, and at that time was engaged to make good the Dauphin's Title to *Brabant* and the other *Spanish* Territories, and so kept his Word no better with the *Irish*, than he had done his Faith in the *Pyrenean* Treaty: the *Irish* hereupon complained to the Cardinal of *Bovillon*, of the *French King's* Breach of Promise to them, and that he should turn his Army against the Catholick King, and not redeem *Ireland* from its Heretical Jurisdiction, which you may read at large in *Plunket's* Trial, and how it was carried on till the Discovery of that in *England*; and all this proved by Roman Catholicks.

If those Counsellors which were not engaged in the Popish Plot were amazed at this Discovery of *Coleman's* Letters, those who were engaged in it were not less surprized; and the Parliament being to meet some few Days after, I think the 1st of *October*; the King hereupon, as aforementioned, took Counsel whether he might not prorogue it to a further Day; and 'twas said Chancellour *Finch* was of Opinion he might, whereupon Mr. *Seymour* (now Sir *Edward*) then Speaker of the Commons, went out of Town: but upon Advice of *John Brown* Clerk of the Parliament, that so many Members of both Houses must meet and sit when a Prorogation was made, Mr. *Seymour* was recalled, and the Houses met, and were prorogued accordingly.

Between this Prorogation and the meeting of the Parliament, Sir *Edmundbury Godfrey* was murdered *Oct. 12.* and if the Council were amazed at *Coleman's* Letters, the whole Nation was not less at the Murder of Sir *Edmund*, and the time set for the meeting of the Parliament being about 9 or 10 Days after, the Court thought not fit to make another Prorogation, to take new Counsel upon the Murder of Sir *Edmundbury Godfrey*.

Here I think fit to relate one Story concerning the Murder of Sir *Edmundbury Godfrey*, which I find no where in Print, and the rather for that Sir *R. S.* so ridicules *Prance's* Evidence, because he recanted before the King in his Closet all that he had been examined and swore to about Sir *Edm. Godfrey's* Murder, which he again recanted after he came to Prison; a *Papist* he was, and by Profession a Silver-Smith, and wrought for the Priests and others in *Somerset-House*, and was assisting at the Murder of Sir *Edm. Godfrey*, and also at the carrying the Body out of *Somerset-house*; and sometime after the Murder of Sir *Edm. Godfrey* was dis-

covered some of *Prance's* Neighbours having observed that *Prance* did not come to his House for several days, they represented it to some Members of the House of Commons, that they had a great Suspicion that *Prance* had a Hand in the Murder of *Sir Edmund*; and thereupon they got an Order to seize *Prance*, and bring him before the House, which they did, and the House ordered *Sir Rich. Everard* and *Sir Charles Harbord* to examine him.

Before the Murder, *Le Faire*, *Pritchard* and other Priests treated with *Bedlow*, to be assisting in the Murder of *Sir Edm.* but *Bedlow*, tho he promised it, relented, and did not come; but the Monday after the Murder, viz. Oct. 14. he met *Le Faire* in *Red-Lyon Court*, who charged him with not keeping his Word, but charged *Bedlow* to meet him at 9 a Clock in *Somerset-house*, and there told *Bedlow* that tho he was not assisting as he promised in the killing of *Sir Edm.* yet if he would be assisting in the carrying him off, he should have 2000 *l.* *Bedlow* then desired *Le Faire*, if he might not see the Body, who told him, yes; which *Bedlow* did, and then they advised about the Disposal of it, and *Bedlow* advised the sinking the Body in the River with Weights, which was not agreed to; thus far *Bedlow* deposes: but in seeing the body, *Bedlow* saw *Prance* there in the Company too, but did not know him before.

Bedlow says, he was troubled in Conscience, having twice taken the Sacrament to conceal the Business, and went to *Bristol*, where God put it into his Heart, that some Murders were past, and greater to come, for Prevention whereof he was convinced it was his Duty to come to *London* to reveal this Wickedness, which he did, and came into the Lobby of the House of Lords to make a Discovery, where I then saw him.

In the mean time *Sir Charles Harbord* and *Sir Rich. Everard* having examined *Prance*, and the House being set, left *Prance* to the Care of the Constable of *Covent-Garden*; who brought him into the Lobby of the House of Lords, where *Bedlow* seeing him, but never before he saw him in *Somerset-house*, *Bedlow* charged the Guards to seize him, for that he was one of those he saw at *Somerset-house*, where the Body of *Sir Edm. Godfrey* lay: and by the same token he had then a black Peruke, but now none; hereupon Search being made, the Peruke was found. Here I make a twofold Remark, one of the Strangeness of the Discovery of *Prance* by *Bedlow* who had never but once seen *Prance* before, and that by Candle-light, and in a Peruke, should yet upon the first Sight of him know him again without Peruke; the other, is the Clearness of *Sir Edm. Godfrey's* being murdered, and the Body's being in *Somerset-house*, upon Monday after the Murder the Saturday before; and from hence it was that *Prance* became an Evidence in this Discovery.

Now let's see how things stood upon the Meeting of the Parliament upon the 21st of *October* 1678, both abroad and at home.

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And herein both Houses were as warm in Enquiry into them, as the Court was cold.

It was but in *January* before, that the Parliament had given the King 1200000 *l.* for carrying on a War against *France*, in Conjunction with the *Dutch*, and their Allies : and upon their Meeting, they found a treacherous separate Peace made by a Faction of the *Dutch* with the *French*, and upon *French* Terms, wherein the King had taken Money of the *French* to join with this *Dutch* Faction in it. Besides the King's Guards, which he might encrease as he pleased, as well as keep up those he had, there was now another Army raised, which now it was of no further Use abroad, they dreaded as much as they did the *French* Arms now he had subdued the Confederates, by the *Dutch* Disjunction from them; and the Discovery of the Popish Plot carried on at home, whilst these things were thus agitated abroad, was to them a Demonstration, the same Councils which governed abroad did so at home.

And if the Parliament were thus amazed at their Sitting, it was no way lessened when as they found that in this very Month no less than 57 Commissions were discovered for raising Soldiers, granted to several Romish Recusants, with Warrants to muster without taking the *Oaths of Allegiance and Supremacy* and the *Test*, countersigned by Sir *J. W.* Secretary of State; whereupon, the Commons committed him to the *Tower*; yet the King next Day discharged him, with a Reprimand to the Commons: but upon the Commons Address to the King about it, the King, as before in his Declarations of Indulgence, promised to recal them.

However, the Commons appointed a secret Committee to enquire to the Bottom of the Popish Plot; who having made some Progress in it, upon *Friday* the 1st of *November* came to this Resolution, *Nemine contradicente*, That upon the Evidence that has already appeared to this House, this House is of Opinion, That there hath been, and still is, a damnable hellish Plot, contrived and carried on by Popish Recusants, for assassinating and murdering the King, subverting the Government, and rooting out and destroying the Protestant Religion. Which being the same Day communicated to the Lords, they unanimously and readily concurred with the Commons in it; and upon the 5th, the Commons impeached the Earl of *Powis*, the Viscount *Stafford*, and the Lords *Arundel* of *Warder*, *Petre*, and *Bellasis*, of High Treason.

The Commons having proceeded thus far in searching into the Popish Plot, upon the 27th of *November* proceeded in their next Fear of the Army raised, and now indeed in *Flanders*, where the *French* Army raged, after the *Dutch* had made their separate Peace, without Opposition, and the *English* Army only a Burden to the Country, and of no Use to restrain the *French* Ravages; and Voted,

1. That it is necessary, for the Safety of his Majesty's Person, and preserving the Peace of the Government, That all the Forces which have been raised since the 29th of September 1677, and all others which have been since that time brought over from beyond Seas from foreign Service, be forthwith disbanded.

2. It is the humble Opinion of this House, That the Forces which are now in *Flanders* may be immediately called over, in order to their disbanding.

3. That the House would to Morrow Morning resolve it self into a Committee of the whole House, to consider the Manner of disbanding the Army.

The five Popish Lords had been impeached by the Commons about a Fortnight, and no Articles exhibited against them, when the King gave the Commons an Account, that he had given Order for seizing Mr. *Mountague's* Papers, upon Information that he had held several Correspondences, whilst he was Ambassador in *France*, with the Pope's Nuncio, without any Direction or Order of his Majesty.

But Mr. *Mountague*, the same Day, produced two Letters from my Lord Treasurer, whilst he was Ambassador in *France*, which being read, the House resolved to impeach the Treasurer, and the same Day ordered a Committee to draw up Articles against him; which on *Saturday* the Committee did, and on *Monday* following impeached the Treasurer upon them: whereas the Commons had not yet exhibited any against the Popish Lords. This was upon the 23d of December.

But if the Treasurer was constant to himself, I do not understand how the Commons Impeachment of him in the 4th Article could consist with the King's Displeasure against him for the quite contrary, viz. That he suppressed the Evidences, and reproachfully discountenanced the King's Witnesses in Discovery of the Popish Plot: And Sir *William Temple* says, pag. 391. *That the Treasurer was fallen into the King's Displeasure for bringing the Popish Plot into Parliament against the King's absolute Command.*

However, the Parliament granted the King 693388 l. to disband the Army, and also an Additional Duty upon Wines for 3 Years: but no more Money being like to come this Sessions, upon *Monday* the 30th of December he prorogued the Parliament to the 4th of February next, and then told them, *That it was with great Unwillingness that he was come to tell them that he intended to prorogue them; that all of them were Witnesses he had not been well used, the Particulars of which he would acquaint them with at a more seasonable time, (but when will that be? for he never saw them after:)* In the mean time, he would immediately enter upon the disbanding the Army, and do what Good he could for the Kingdom, and Safety of Religion, and that he would prosecute the Discovery of the Popish Plot,

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to find out the Instruments of it, and take all the Care that is in his Power to secure the Protestant Religion as it is now established. How well this was performed you'll soon see; and before the 4th of February he dissolved this Eighteen-year-old Parliament. The Vogue went, It was upon the Account of my Lord Treasurer, tho I believe, upon severer Thoughts, it will seem rather to have been done upon the Account of the Popish Lords and Popish Plot. These Feuds in the Nation, and Jealousies between the King and Parliament, stifled the Apprehensions of the dreadful growing Power of the French King, and made fair Weather for him to prosecute his boundless Ambition, without any Regard of his Faith or Honour, where-ever he could extend it.

Never did one Parliament succeed another so early as the next did this long Parliament; for the King, by his Proclamation, dissolved the Long Parliament upon the 25th of January, and the same Day issued out Writs for a new one to meet at Westminster the 6th of March following; which was just 40 Days between the Test and Return.

In this Interval, the Blaze of the Parliament's Vote of their Apprehensions of a damnable and hellish Popish Plot had taken deep Impressions in the Minds of Men in general; and the Whigs taking Advantage of it, in this short Interval run down the Tories without Opposition: nay, even the King himself apprehended there could be no Hopes of attaining his Ends in the next Parliament, but by seeming zealous in the prosecuting the Discovery of the Popish Plot, and that he would not longer be governed by Favourites and single Councils.

There had been several Debates in the House of Commons, of the dangerous Consequences in reference to the Duke of York's Succession to the Crown, and that the Bottom of the Popish Plot centred in the Duke's being a Papist, and the presumptive Heir to the Crown; but I do not find they came to any Vote upon it, yet resolved upon the 8th of November to make an Address to the King, That the Duke might withdraw himself from his Person and Councils; and in Conformity therewith, the Duke went, or was sent into Holland: and upon the meeting of the Parliament, the King acquainted them how great things he had already done for the preventing the Progress of the Popish Plot; as the Exclusion of the Popish Lords from their Seats in Parliament, and the Execution of several Men upon the Score of the Plot, as well as the Murder of Sir Edmundbury Godfrey; but above all, that he had commanded his Brother from him, because he would not leave malicious Men room to say, he had not removed all Causes which could be pretended to influence him toward Popish Councils; and tells, That as he had not been slack in putting the present Laws in Execution against Papists, so he was ready to join in making such fur-
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ther Laws as may be necessary for the securing the Kingdom against Popery; and then demands a Supply, and concludes with his Desires to have this a healing Parliament.

The House chose Mr. *Seymour*, the Speaker of the last Parliament, to be their Speaker in this, but the King rejected him, which was no good Presage of a healing Parliament; and so the Commons chose Mr. *Serjeant Gregory*, and the King accepted him.

The Commons began where the last Parliament left, in prosecuting their Impeachments against the Earl of *Danby*, and the Popish Lords in the *Tower*; but who should be first tried, and what were the Jurisdiction of the Bishops Right of Voting in their Impeachments, and their Judgments in Cases of Blood, run quite through this Sessions, wherein the Lords and Commons seldom agreed. There were two things which made the Earl of *Danby's* Case more favourably spoken of; one, That tho he was prosecuted several Weeks after the Popish Lords were committed, yet the Commons would not proceed in their Impeachments against the Popish Lords before the Lords had given their Judgments upon the Earl's Plea; The other was a Vote of the Commons upon the 9th of May, That no Commoner whatsoever should presume to maintain the Validity of the Earl of *Danby's* Pardon without Leave of the House first obtained, and that the Persons so doing shall be accounted Betrayers of England: and there was no Nobleman a profess'd Lawyer; so that tho the Earl's Plea upon his Pardon was Matter of Law, yet no Commoner must presume to plead his Cause.

The King, besides his sending the Duke of *York* beyond Sea, that the World might now see how otherways he was become a new Man for the future, upon the 20th of April 1679 made this Declaration in Council, and in Parliament, and after publish'd it to the whole Nation, how sensible he was of the ill Posture of his Affairs, and the great Dissatisfaction and Jealousies of his good Subjects, whereby the Crown and Government were become too weak to preserve it self, which proceeded from his use of a single Ministry, and of private Advices; and therefore profess'd his Resolution to lay them aside for the future, and be advised by those whom he had then chosen for his Council in all his weighty and important Affairs, together with the frequent Advice of his great Council in Parliament: and indeed in this Council were many worthy Members; my Lord of *Shaftsbury* was President of it, and the then Sir *Henry Capel*, and Sir *William Temple*, Members of it.

But this Declaration of the King's, added to the sending the Duke of *York* into *Holland*, had not the King's desired Effect; the Commons, (besides the Dread of the Popish Plot as well at present, but more in consequence) after the King had declared he would not alter the Succession of the Crown in the right Line, were

were no ways satisfied with the Disbursements of the Money, nor the disbanding the Army, yet were resolved it should be done, and voted another Sum of 26462 l. for it; but it was not carried without some Difficulty, that these Monies should be paid into the Exchequer, but Chamber of London: however, the Commons carried, That the Money so raised should be appropriated to that Use, and to that End appointed Commissioners to disband the new-raisd Army, and so voted, *That the Continuance of any standing Forces in this Nation, other than the Militia, to be illegal, and a great Grievance and Vexation to the People*, hereby meaning the King's Guards. They also ordered a Bill to be brought in, for annexing Tangier to the Imperial Crown of England; and voted, *That those who did advise the King to part with Tangier to any foreign Prince or State, or were instrumental therein, ought to be accounted Enemies to the King and Kingdom.*

But how jealous soever the Commons were of the King, yet they conceived it was his Life which secured them from the Fears they dreaded of the Duke's coming to the Crown; and therefore upon the 11th of May voted, *Nemine contradicente, That in Defence of the King's Person and the Protestant Religion, this House does declare, that they will stand by his Majesty with their Lives and Fortunes; and that if his Majesty shall come to an untimely End (which God forbid) they will revenge it upon the Papists.*

It seems the Commons had more Care of the King than he had of himself; for he not only countenanced the Plotters, but ridiculed the Plot. In his Speech at the opening this Parliament, he told them he had not been idle in discovering the Plot; and in the last, he told Sir William Temple he was displeased with the Earl of Danby for bringing the Popish Plot into Parliament, against his absolute Command. Oliver's Professions and Actions never appeared so hypocritical and deceitful as this King's; and all this after the Parliament had voted *there was a hellish Conspiracy by the Papists against his Life*: and this proved by a Cloud of Witnesses, agreeing in the Manner and Circumstances of it, as Oates, Bedlow, Prance, Dangerfield, Bolron, and Mowbray, many of which had never seen one the other before they gave their Testimonies.

Objection. *These were Witnesses of suspected Fame, therefore no Credit ought to be given to them.* But admit this were true, which is nor, for except Dangerfield, and while Prance was frightened with Terror, there was no Objection against Oates, Bedlow, Mowbray, and Bolron, it will admit of a twofold Answer.

1. Truth is one, and consists in entire parts, whereas Error and Falshood is infinite; and therefore it had been impossible that Mowbray and Bolron, who had never seen Oates or Bedlow before they gave their Testimonies, and Bedlow who had never known Mowbray, Bolron, nor Oates, should concur not only in the Design of

of killing the King, but in the Manner, Place, and Circumstances of it.

2. Admit these Mens Evidence might not have been credited in other Cases, yet it's fit to consider Witnesses in civil or criminal Cases; in civil Cases Men may make Elestions of what Witnesses they please, and it is their Fault if they make no use of Men of known Integrity and Repute, that more Credit may be given to their Evidence: and the End of civil Actions and Contracts is, that they may be known; but immoral and wicked Actions are Deeds of Darknes, and contrived so as that they may not be known; so that the Knowledg of them comes to pass either by Accident, or from the Conspirators themselves: as if only one Man sees a Murderer or a Thief kill or rob another, if his Testimony shall not be taken because otherwise an ill Man, Multitudes of Murders and Thefts might pass unpunished. So if *Cicero*, when *Fulvia* first discovered *Catiline's* Conspiracy to him, had told her she was a Whore, and no Credit could be given to any thing she said, *Rome* might have been in a Flame as *London* was, and all the Senators Throats might have been cut.

But admit no Credit could be given to any or all these Mens Testimonies, who were all *Roman Catholicks*; I would know what Objection could be against Mr. *Jenison* (a Gentleman of Birth and Quality) who gave no Evidence at *Ireland's*, *Wakeman's*, *Pickering's*, or *Grove's* Trials, and changed his Religion when he heard that *Ireland*, who was his Father Confessor, at his Death denied that he was in Town, but in *Staffordshire*, when *Oates* and *Grove's* Maid said he was in *London* in *August* 1678, and printed it, and the Reasons of it; and also at my Lord *Stafford's* Trial in open Parliament deposed, That *Ireland* told him there was but one that stood in the way, and that it was an easy thing to poison the King, and that Sir *George Wakeman* might easily and opportunely do it; and that in *August* 1678, (when *Ireland* at his Death declared he was in *Staffordshire*) *Ireland* told Mr. *Jenison* in *London*, when he was newly returned from *Windsor*, how easily the King might be taken off, and asked Mr. *Jenison* if he would be one of them who should go to *Windsor*, and assist at the taking off the King, and proffered Mr. *Jenison* to remit 200 l. which he owed *Ireland*, if he would: Then *Ireland* asked if he knew any stout *Irish-men*; who answer'd he knew Captain *Levallian*, Mr. *Kerney*, *Brohal* and *Wilson*. *Ireland* told him he knew *Levallian* and *Wilson*; and then *Ireland* asked him if he would go with them, and assist them in taking off the King: after this *Ireland* told Mr. *Jenison* he was going to the Club, where Mr. *Coleman*, Mr. *Lavallian*, and *Kerney* would be, and he wanted 80 l. which he desired Mr. *Jenison* to return him.

Mr. *Jenison* further deposed, That his Brother, Mr. *Thomas Jenison* (a Jesuit) said, If C. R. will not be R. C. which he interpreted to be, *Si Carolus Rex non esset Rex Catholicus, non diu foret Rex Carolus*; and that it was no great Sin to take him off: Mr. *Jenison* desiring a new Commission in the new rais'd Army, his Brother told him he would procure him one from the Duke of York, and that there was another Army to be raised, but this was not to be till the King was taken off; and this I say, that about this time there was a general Rumour of a Page being kill'd upon a Couch in the Night at *Windsor*, where the King was laid but a little before; and that the King, upon the Fright of it, came next Morning to *London*; and that it was Prince *Rupert* who, with much Importunity, got the King (having been drinking hard before) from the Couch, and put him to Bed; and that the Page who was killed asleep upon the Couch, was wrap'd up in the Cloak the King was in.

The Commons likewise resolved *Nemine contradicente, That the Duke of York being a Papiſt, and the Hopes of his coming as such to the Crown, have given the greatest Countenance and Encouragement to the present Conspirators, and the Designs of the Papiſts against the King and Protestant Religion.*

But the Designs of the King was, how to get Money for providing a Fleet for our common Security now in time of such a Peace as the French King had granted *Christendom*, after the King had taken his Money to join in it, and after he had taken the Parliament's Money to enter into an actual War against *France*; and after the Parliament had twice given Money for disbanding this Army, which not succeeding, the Commons dreading how Monies given at this time of Day might be employed, took no more Care in it than the King did in the Discovery of the Popish Plot; so he prorogued the Parliament upon the Twenty seventh of May to the Fourteenth of *August*, and upon the Twelfth of *July* dissolved them.

We shall better take a View of what followed the Prorogation of the Parliament in *England*, if we take a Step into *Scotland*, and see what's doing there. Upon the 3d of this Month of May, *John Balfour* of *Kinlock*, *David Hackston* of *Rathilelet*, *George Balfour* of *Gilston*, *James Russel* in *King's Kittle*, *Robert Dingwall* a Farmer's Son in *Caddam*, *Andrew Guillon* a Weaver in *Balmerinloch*, *Alexander Henderson* and *Andrew Henderson* Sons of *John Henderson* of *Rillbrachment*, and *George Flemming*, Son to *George Flemming* of *Balbuty*, murdered Doctor *Sharp* Arch-bishop of *St. Andrews*, who, before the King's Restoration, had held an exalted Place in the *Scotish Presbytery*, and was in high Esteem among them, in as vindictive a manner as was that of the Marquess of *Montross* about twenty one Years before, as being a perjured

perjured Apostate Prelate, a Villain, a Persecutor of the Gospel, a Betrayer of *Jesus Christ* and his Church; and which augmented the Horror of the Fact, if my Author of the second Address to the Free-men of *England*, pag. 58. says true, That they several times beat down the Arch-bishop's Daughter upon her Knees, begging her Father's Life, and trampled upon her, and wounded her.

This barbarous Act was a Prelude to what followed; for upon the 29th of this Month, a Party of about 80 of the Covenanters met at *Ragland* in *Scotland*, well mounted and well armed, and proclaimed the Covenant, and burnt several Acts of Parliament made against it, and for establishing Prelacy, since the Year 1660, and would have affixed their Declaration at *Glasgow*, but were prevented by the King's Forces for that time.

This Rebellion of the Covenanters, initiated by so horrid a Fact, did not extend so far, as the Covenanters in their Frenzy and Zeal imagined; yet upon Sunday the 1st of June they rendezvouz'd about fifteen hundred Men upon *Louden-Hill*; one *Wier* commanded the Foot, and the Horse was under *Robert Hamilton*, one Patron, with *Balfour* and *Hackston*, (which two last assassinated the Arch-bishop.)

With this Force they took the City of *Glasgow*; and to shew how all Crowns and Scepters must vail to them, they published two Proclamations. The first of which was,

We the Officers of the Covenanted Army, do require and command you the Inhabitants of the Burgh of Glasgow, to furnish us with 24 Carts and 60 Horses for removing our Provisions from this Place to our Camp, where-ever we shall set down the same, and to abide with us for that End during our Pleasure, under pain of being reputed our Enemies, and proceeded against accordingly.

The other was,

We the Officers of the Covenanted Army, do require and command the Magistrates of Glasgow to extend and banish forth thereof all Arch-bishops, Bishops, and Curates, their Wives, Berns, Servants, and Families, and Persons concerned in the King's Army, within 48 Hours after publishing hereof, under highest Pains.

And then they published a long Declaration of their taking up Arms for a free General Assembly, and free and unlimited Parliament, to redress the manifold Grievances there enumerated, and humbly to request his Majesty to restore all things as he found them when God brought him home to his Crown and Kingdoms; that was, to the Dominion the Rump-Parliament in *England* had over them: which you may read at large in the afore said Author, from pag. 67 to 74.

To these Declarations the said Author, p. 17. adds, they barbarously treated the dead Body of one *Graham*, whom they had killed at a Conventicle: They committed insufferable Insolencies in the Houses of the regular Ministers and Loyal Gentlemen as they marched along to *Glasgow*, stabbing and gashing his Majesty's Picture where-ever they found it: They behaved themselves barbarously in the House of the Arch-bishop of *Glasgow*, where they burnt his Books, cut in pieces his best Furniture and Hangings, and almost kill'd a Gentlewoman with Blows who was left to keep the House, for saying, *Gentlemen, I hope you'll remember you are in an Arch-bishop's House.* They sacrilegiously entred the Cathedral of *Glasgow*, and finding a Tombstone over two of the Children of the Bishop of *Argile*, with an Inscription of a Modern Date, they digged up their Bodies, run them through with their Swords, and left them lying above Ground.

In the mean time the Council of *Scotland* were not idle, but raised an Army, and quartered it at a place called *Blackborn*, to prevent the Covenanters Approach to *Edinburgh*, and gave the King an Account of these things, and expected his Majesty's further Orders: And now I'll tell a wonder which will scarce be believed in future Generations. The King sent the Duke of *Monmouth* from *London* upon the 20th of *June*, and the Duke rode above three hundred Miles upon that day and the two next days, and upon the 23d ordered and disposed the King's Army raised by the Council, that he fought the Covenanters and routed them, killing about seven hundred of them, and took above eleven hundred of them Prisoners; and now it may be you will hear of a Wonder in Consequence after this Fight as great as the Fight, and the Duke's Journey before it.

I do not question but the Design of the Court in sending the Duke of *Monmouth* into *Scotland* to suppress the Covenanters, was by it to make him odious to the *Presbyterians*, and other Dissenters from the Church of *England*, in case he suppressed the Covenanters, which tho the Duke did, yet the End designed by the Court in it did not succeed.

For the dreadful Apprehension of the Duke's Succession to the Crown of *England*, had taken a deep Impression in another sort of Men besides Dissenters: and where Men are fearful of Danger, they will seek all means how to prevent the Danger, especially where the Power of doing ill is greater; and therefore another sort of Men, no *Whigs*, might have their Eyes upon the Duke of *Monmouth*, as the only means to prevent the Duke of *York*'s Succession to the Crown; his Title to the Crown of *England*, if he could get an Act of Parliament for it, being as good as that of *John*, alias *Robert Stuart*, the Son of *Elizabeth Moore*, from whom the King and the Duke of *York* were both descended, and in whose

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Right they claimed the Crown of *Scotland*, if not those of *England* and *Ireland*.

However, this gave the Lie to the *Tories*, that all those were Commonwealths-Men who would not submit to the Illegal and Arbitrary Will of the King, and their Doctrine of Passive Obedience; and that Kings, *Jure Divino*, may do what they list, tho God has set Laws and Bounds to all the created Bodies of Heaven and Earth, and all other Creatures in them. But how mischievous these Doctrines have proved to these three Kings of the *Scottish* Nation has been already said, and I say it has been such flattering Doctrines as those that ruined all these Kings and Kingdoms (except the *Gibeonites*, *Joshua* 9. the State of *Venice*, and that of *Geneva*, for *Du Salex* was a just and vertuous Prince) from which Commonwealths arose. Who ever, before King *James* and King *Charles* the First's Reign in *England*, heard of talking of Commonwealths in *England*, and the several sorts of Governments, viz, Monarchy, Aristocracy, Democracy, which two latter, tho they have the same Names, yet no two of either in their Constitutions were like one the other? And as these Commonwealths took their Rise from the Tyrannies of Kings and Princes; so the exploded Government of the *Rump*, if it were a Democracy or Commonwealth, gave Life to all those Confusions, Perjuries, Breach of Leagues, and devilish Practices of this Reign, which would have been intolerable in any other, and would have been opposed, if not by rising in Arms against them, yet at least in not so profusely pouring out Money for not continuing and carrying of them on.

The Popish Faction were more jealous of the Duke of *Monmouth*, than the *Tories* were of a Commonwealth, and the rather because there was a Pamphlet printed, that the King was married to the Duke's Mother, and rumoured abroad that Sir *Gilbert Gerrard* had a Black Box, in which the Marriage of the King with the Duke's Mother was fully proved and made out; and the fear of the Duke of *York*'s Succession was so fix'd in Mens Minds, that the Story of the Black Box was generally divulged, and for ought I know, believed by those who were fearful of the Duke of *York*'s Succession.

If this could be made out, the Popish Faction would lose the *Tories* and *Passive-Obedience-Men*, who at present were their dearest Joys, and without them they had not Means to carry on their Design of propagating the Catholick Cause; they were sure of the King (tho it's believed he loved not the Duke of *York*) and therefore the King made three Declarations, the first of the second of *June* 1679, wherein he calls the Report of his Marriage or Contract with Mrs. *Walters*, alias *Barrow*, the Duke of *Monmouth*'s Mother, false and scandalous; and upon the sixth of *Ja-*

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mary following, declared, that they who should say he was married or contracted to the Duke of *Monmouth's* Mother, were neither his nor the Duke's Friends, and declared in the Presence of Almighty God, that he was never married nor contracted to any other Woman but his Wife Queen *Catherine*; and upon the third of *March* following, declared in Council, and entred it into the Council-Books in the Presence of Almighty God, that he was never contracted or married to any other Woman but his Wife Queen *Catherine*: and the Popish Party were sure enough no Issue would spring from thence to the Prejudice of their Cause.

And that the King might gratify this Faction, as well as he had done the Nation in sending the Duke of *York* out of it, he sends the Duke of *Monmouth* after him; but the Duke being informed that Banishment is a Punishment which the King cannot inflict upon any Man unless he be convicted of some Crime, the Duke of *Monmouth* returns again, and the Duke of *York* follows him, with this different Success, that the Duke of *Monmouth* had all his Places of Profit and Trust taken from him, and the Duke of *York* was sent High Commissioner into *Scotland*, where the Duke of *Monmouth's* Victory at *Blackborn* had left a clear Field in *Scotland* for the Duke of *York* to play what Game he pleased; but how well this agreed with the King's Speech at the opening of the Parliament, *That he had commanded his Brother to absent himself from him, because he would not leave malicious Men room to say that he had not removed all Causes which could be pretended to influence him to Popish Councils*, a little time will shew: but before we take a View of the Duke of *York's* Actions in *Scotland*, it's fit to see how things were carried on in *England*, between the Dissolution of the Parliament and the meeting of the next, or third *Westminster*-Parliament of this Reign.

The King by Proclamation dissolved the Parliament upon the 12th of *July* 1679, and issued out Writs for the meeting of another the 17th of *October* following; but like the usual Methods of other things in this Reign, when they met, he prorogued them to the 26th of *January* following, and then prorogued them to the 5th of *April* following, viz. 1680, and from thence to the next 17th of *May*: And when they then met, prorogued them to the first of *July*, and from thence to the 21st of *October*, when he graciously declared they should then sit. And now let's see what's doing in the mean while for the discovery and suppressing of the Popish Plot.

To humour the Court the Tory Party set their Wits to work to ridicule the Popish Plot, and Roger *L'Estrange*, as Pensioner of the Party, comes weekly, or oftner out in defiance of it, who is Party, Judge, Licensor, and Riser of the Press, whilst his Antagonist *Care* (who wrote *The Weekly Packet of Advice from Rome*,

wherein he discovered the Frauds and Superstitions of that Court and Church) is not only thereupon arraigned, convicted and sentenced, for printing *illicite*, or without Licence; but by an Order of the Court of *King's Bench*, it was ordained, *That the Book, intitled, The Weekly Advice from the Church of Rome, or the History of Popery, shall not from thenceforth be printed or published by any Person whatsoever.*

Then a Design was set on foot to throw the Popish Plot upon the *Presbyterians*, by leaving Papers of a Plot in the Lodgings of the principal Persons, who were active in the discovery of the Popish Plot, and then to search their Houses, and prosecute them upon it, and these Papers to be given in Evidence against them. Mrs. *Cellier* was a principal Agent herein, and *Dangerfield* as her Instrument, at first made an Attempt herein upon Colonel *Mansel*, who was prosecuted upon it, but the Examination of it was referred to Sir *William Jones*, then Attorney General, upon whose Report of it to the Council, they thereupon voted Colonel *Mansel* innocent, and *Dangerfield* guilty, and that this was a Design of the *Popists* to lay the Plot upon the *Dissenters* Charge, and a further Proof of the *Popish Plot*. But this was such a Crime in Sir *William Jones*, that he was soon after put out of his Place, and Sir *Robert Sawyer* put in, who would not venture the loss of his Place for such another Report.

By this time my Lord Chief Justice's Zeal, which he professed for discovery of the Popish Plot, was inverted into the quite contrary, and he was not of the Opinion of the Council: For after this *Dangerfield* procured his Pardon, and then discovered the whole Plot, which he printed; hereupon Mrs. *Cellier* was prosecuted, and tried before my Lord Chief Justice *Scroggs* upon the eleventh of June 1680. and Mrs. *Cellier* excepting against *Dangerfield's* Evidence, he having his Pardon, the Case was sent to the Court of *Common-Pleas*, for their Judgment upon it; who gave it, that *Dangerfield's* Evidence was good: yet let any Man read the Trial, and see how the Chief Justice rated and vilified him, so as Mrs. *Cellier* was quit; and after the Trial committed *Dangerfield* to Prison, upon the account there was a Defect in his Pardon, though it was not then before him, whether there was any Defect in his Pardon or not.

Then the Popish Party set another Design on foot, to suborn the Discoverers of the Popish Plot, for which Mr. *Reading* was tried and committed, and also to suborn, defame and scandalize the King's Evidence in the Discovery of the Popish Plot: for which *Thomas Knox* and *John Lane* were convicted upon the twenty fifth of November 1679, and *John Tasborough* and *Ann Price* upon the third of February following.

Another Step towards the Discovery of the Popish Plot and Subversion of Popery, was to discharge those in Prison upon it; and in order to it, you may read in the Trial of Sir George Wakeman, Corker and Marshal, what a Stress my Lord Chief Justice Scroggs put upon Oates his not accusing Sir George Wakeman, upon his Letter before the Council, when Oates was so tired, weak and confounded with his other Evidence, that he was scarce able to stand; and how the Chief Justice repeats this, and bids the Jury weigh it well, and not be amazed or affrighted at the noise of Plots, and that Sir George Wakeman's, Corker's and Marshal's Blood lie at Stake, as did his and the Juries Souls, &c. And in my Lord Castlemain's Trial, how he undervalued Dangerfield's Evidence, and told the Jury that Treason must be proved by two Witnesses, and if they doubted upon one, it was his Opinion it was but a single Evidence.

These Prisoners thus discharged, the next Design to crown the Work, was to make a Precedent, That no future Prosecution should be made for convicting Roman Recusants; and to that end, in Trinity Term 1680, before the Parliament met, the Chief Justice Scroggs discharged the great Inquest of Oswaldston, before they had given in their Presentments of several Bills of Indictments against the Duke of York and other Roman Catholics.

I do not find that in all these Transactions, the King made use of the Council which he chose the twentieth of April 1679, where my Lord Shaftsbury was President, and Sir Henry Capel, Sir William Temple, and many other noble Persons were Members of it, when he declared in Council, and Parliament, and to the whole Nation, *How sensible he was of the ill Posture of his Affairs, and the great Dissatisfaction and great Jealousies of his Subjects, whereby the Crown and Government was become too weak to preserve it self, which proceeded from a single Ministry, and of private Advices; and therefore profess'd his Resolution to lay them wholly aside for the future, and to be advised by those able and worthy Persons whom he had then chosen for his Council; and by the frequent Advice of his Parliament in all his weighty Affairs.* I do not find when he dissolved this Council, yet I am confident none of these things were done by their Advice: yet this I find that none of these were present, when the King in Council the third of March 1679, declared against his Marriage with the Duke of Monmouth's Mother, and this was within the Year after the twentieth of April 1679. How the Duke of York carried on the Design of the Discovery of the Popish Plot, and endeavoured the Suppression of Popery in Scotland at this time, is not yet ripe to be declared; but in this Posture things stood in England when the Parliament met the twenty first of October 1680.

Upon the opening of the Parliament, the King told them, *The several Prorogations he had made, had been very advantageous to our Neighbours, and very useful to him; for he had employed that time*

in making and perfecting an Alliance with Spain, futable to that which he had before made with the States of the United Provinces, and they also had with Spain, consisting of mutual Obligations of Succour and Defence.

So then it was not for the Transactions aforesaid, and the sending the Duke of York High Commissioner into Scotland, which no doubt but the Parliament, if they had been sitting, would have boggled at, but for making and perfecting Alliances with the States of Holland; and if any such Alliances were making, or made, what would the sitting of the Parliament have hindred them? I'm sure they might and would have advanced them.

It was in November 1677, that by the Agreement between the King and Prince of Orange, the French should deliver up to the King of Spain, the Towns of Aeth, Charleroy, Oudenard, Courtray, Tournay, Valenciennes, St. Gillain, and Binch; Lorain to that Duke, and the Towns which the French had taken in Alsatia to the Emperor: and in case of Refusal within two days after by the French King, our King was to declare War against the French King, and join with the Dutch States and Confederates to compel the French to it; and at the Prince's Departure promised him never to depart from the least Point of it.

It was not two Weeks before the King brake this Promise, and to amuse and raise a Jealousy among the Confederates by Mr. Temple (Sir William Temple refusing to have any hand in it) about the latter end of December following made a separate League with the Dutch States upon the Parliament's giving him 1200000 *l.* to enter into an actual War against France.

In May following, viz. 1678. the King took French Money to join with a Faction in Holland, to make a separate Peace with France, upon delivery of six of the nine Towns to the Spaniard, whereof two of the three not to be delivered to the Spaniard, were Tournay and Valenciennes, worth all the rest; and the Duke of Lorain and the Emperor left loose and uncertain.

In July following, upon the French refusal to deliver up these six Towns to the Spaniard, the King would declare War against France, and join with the Dutch and the rest of the Confederates in it.

Hereupon Sir William was sent to the Hague, and in six days time concluded a League with the States, that if within fourteen days after the Date of it, France did not declare to evacuate these six Towns, Holland engaged to proceed in the War against France, and Sir William sent over the Conditions to be ratified by the King.

During these Transactions in Holland, and it may be before the League came over to be ratified by the King, the King sent Du Cret with Instructions to Sir William Temple to remove from the Hague to Nimeguen. and to divulge that the King and French King had
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absolutely agreed and consented to a Peace, and that he had brought Orders to Sir William Temple, to go straight to Nimeguen, where he should meet with Letters from my Lord of Sunderland the King's Ambassador at Paris, with all the Particulars concluded between them: The Fourteen Days for the French Agreement to evacuate the Towns, running so fast away in the mean time, that Beverning and his Faction, upon the last of the Fourteen Days, pleaded a petty Necessity of huddling up that treacherous Peace which left Christendom to the Mercy of the French.

Would not one think it strange now, that the Dutch and poor Spaniard should have such a mutual Confidence in our King's Faith, and to trust to his mutual Obligations of Succour and Defence? Or that the King should be so staid in making this League? for it was above eighteen Months after the Prorogation of the last Parliament, to the Meeting of this, and above Fifteen Months from the Dissolution of it; and yet so hasty in all his other Leagues.

After the Benefits which Christendom, as well as England, may reap by these Alliances, if our Divisions at home do not make our Friendship less considerable, the King thought fit to renew all Assurance that can be desired for Security of the Protestant Religion, which he is resolved to maintain against the Conspiracies of our Enemies: "Can any Man who reads the Transactions between the Prorogation of the last Parliament, and the Meeting of this, force a Belief of this? And concur with any new Remedies which shall be proposed, which may consist with preserving the Succession of the Crown in its due and legal Course of Descent; "That is, Let the Wolf be Shepherd, and let the Sheep make what Laws they please for their Preservation.

Was it not known that the Duke of York was a Jesuited Papist; whose Maxims are, That no Faith is to be kept with Hereticks, which he esteemed all others in England but those of his own Romish Faction to be? Could the King believe that the Duke's Succession could be any Security to the Protestant Religion (as the King calls it) which the Duke esteemed Heresy, and to be rooted out by Fire and Sword? or that any other but the Duke's Faction could be protected by him, when he esteemed them Hereticks, Schismatics, Church-Robbers, and no Christians?

It's true, at this time the King of Portugal was made a Prisoner, to restrain him from his immoral and wicked Actions, whilst his Brother in his Imprisonment acted as Regent of Portugal, in his Brother's Name: But upon the Duke's Succession, how could a Regent act when the King was not a Minor, but of full Age double, and at large, in the King's Name, and contrary to his Will and Pleasure, and this to consist with the Security of the Protestant Religion or Laws?

In the Debates in the House of Commons, many Expedients were propounded, how the established Government in Church and State could be preserved, and none could be found in case the Duke succeeded : so the Country Party moved, that the Court Party would propound Expedients herein ; but either they could not, or had no Instructions from the Court to warrant such Expedients as they should propound.

But if the due and legal Descent of the Crown must be preserved, though to the Destruction of the Church and State ; they who advised the King to be so positive herein, should have done well to have declared what Law in *England* declares the Descent of the Crown of *England*, or how this becomes due. I am sure the Act of the first of *Henry* the IV intailed the Crown upon the King, and the Heirs of his Body ; and so did that of the first of *Henry* VII. before he married the Lady *Elizabeth*, *Edward* the Fourth's Daughter ; and if *Henry* the seventh's Title to the Crown had been good by inherent Birth-right, yet he had been an Usurper : For his Mother, under whom he claimed, lived all his Reign, and so she did some time after *Henry* the VIII became King, as you may read in *Stow's* History, p. 487. And how was the due and Legal Succession of the Crown of *England* observed in the Reign of *Henry* the VIII, when by his Will he might name what Successor he pleased, as has been said ; or in Queen *Elizabeth's* Reign, when it was in Parliament declared Treason to affirm the Parliament might not dispose of the Succession of the Crown in her Reign, and a *Premunire* at this Day ? And let any Man shew that ever there were three Kings before these of the *Scotish* Race, in the *Saxon*, *Danish*, or *Norman* Race, which succeeded successively by inherent Birth-right, I will submit that all I have said is not true : and why then must such a Stress be put for the preserving the Descent of the Crown in its due and legal Course, without declaring what is that due and legal Course, to endanger the Subversion of the Church and State of *England* ?

Then the King recommends to the Parliament, a Strict Enquiry into the Popish Plot, and that the Lords in the Tower be brought to a speedy Trial, without which he did not think himself or the Parliament safe. The constant Vogue was, " That the King dissolved the two last Parliaments to preserve the Lords in the Tower from being brought to Trial ; and I am sure that you will soon hear that the King did not believe his and the Nation's Safety did consist in the Trial of the Lords in the Tower.

Then the King tells the Parliament what Danger *Tangier* was in, and what vast Expence he must be at to keep it : " And the Commons last Parliament drew up an Act to settle it upon the Imperial Crown of *England*, and that they who did advise the King to part with *Tangier* to any Foreign Prince or State, or were instru-

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" mental therein, ought to be accounted Enemies to the King and Kingdom. And what Care the King took to keep it, will soon appear, tho' 'twas said, the Parliament (I think it was out of the Chimney-Bill) gave him 400000 *l.* per Annum towards the Prefer-
 vation of it to the Crown of *England*.

The King goes on and says, That above all the Treasure in the World, which he was sure would give him greater Strength both at home and abroad, than any Treasure can do, is a perfect Truth among our selves, yet says not wherein we should unite, " Truth and Unity are one, and consist in intire Parts; but Fal-
 shood and Discord are infinite: What Truth or Unity could be in the King's loose and irregular Actions, so confounding, and every day varying from what he had promised before? Or how is it possible for the Nation to unite under Terms which are inconsistent and impossible, viz. Unite to preserve the Con-
 stitutions of the Kingdom, and yet be at no Discord with the King, who they were morally certain, would make it his Bu-
 siness to subvert them?

If we should be so unhappy (the King says) as to fall into such Misunderstanding among our selves as would render our Friend-
 ship unsafe to trust to, it will not be wondred at if our Allies shall begin to take up new Resolutions, and perhaps such as may be fatal to us; and advised them not to gratify our Enemies, and dishearten our Friends by any unreasonable Disputes, viz. to take all by an implicit Faith. " I do not understand what the King means
 " by Misunderstanding among our selves, which may render our Friendship to our or his Allies unsafe; nor does he say wherein
 such Misunderstanding consists; I'm sure the Parliament mis-
 understood him when they gave him 1200000 *l.* to enter into
 an actual War against the *French* King, in the Defence of these
 Allies; and when he had got the Money, to make a separate
 Peace with a Faction of the *Dutch*, to the Ruine of his Allies;
 and take *French* Money for it: and to get the Parliament twice
 over to disband this Army, for fear he should turn it against them
 and the Nation; and now 'twas disbanded, to give Money to
 raise another, upon Pretence of assisting these Allies, now they
 were forced to such a dishonourable Peace with the *French*; or
 that our Allies, as the King calls them, would ever trust to any
 more of his Alliances.

If any should so happen (the King says) the World will see it is no Fault of his, for he had done all that was possible for him to do to keep us in Peace while he lived, and to leave us so when he died.

" Can any Man believe the King believed himself herein? Or
 " that any Man will be his Voucher for it? Even my Lord C. F.
 " out of the Field of his sweet lipping Eloquence, could not ga-
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“ther one Rhetorical Flower to make a Flourish upon this Speech;
 “nor assurè the Parliament upon his Veracity, that Now, Now
 “was the time to secure their Religion and Properties: nay, the
 “Commons gave so little Credit to this Speech, that they would
 “not deign to debate it, or one Paragraph in it.

Neither the Bait of *Tangier*, nor the King's making Alliances with the *Dutch* and *Spaniard* (if any such were in his Ramble of Prorogations of this Parliament) would make the Commons give more Money: This Parliament met in a contrary Humour to that of the Long Parliament, and that from contrary Causes; for that Parliament adored him as their Deliverer from the Rage and Persecution of the late times, whereas this Parliament met in Dread and Terror of the Nation at present, and were frighted at the Prospect of the Consequence of it after the King's Death.

The Commons heated by the Dissolutions of the two last Parliaments, when they were searching into the Discovery of the Popish Plot; and exasperated against the *Tories*, for ridiculing the Popish Plot, and for abhorring petitioning the King to let the Parliament sit, in order to prosecute and secure the Nation against it, &c. proceeded in another Temper, I think, than any other ever before: and in Truth I do not desire the Prosecution of the Commons in the Long Parliament in the first ten Years against the Protestant Dissenters, and of the Commons of this Parliament against the *Tories*, should be taken for Precedents by any Parliament in time to come.

When Parliaments met annually, or at least frequently, I think a Complaint cannot be found against any Man for Breach of Privilege: but when there were long Intervals of Parliaments, from whence the Consequence resolved into long Sitzings of Parliaments, which began in the Reign of *Henry VIII.* then the Inconvenience (I may say) of Privilege of Parliament first began; nor do I find any before the latter end of *Henry VIII.* nor does Mr. *Petit*, in his *Precedents from Arrests*, and other Privileges of Parliament-men, cite any before the Thirty fourth of *Henry VIII.* in Case of Mr. *George Ferrers*, Burgeß for the Town of *Plimouth*, being arrested for Debt; and this was taken for such a Novelty, that he takes up near seven Pages to recite the Proceedings of the Commons upon it; and how the King being advertised thereof, called the Chancellor, the Judges, the Speaker of the Commons, and the gravest Persons of them, wherein he commended the Wisdom of the Commons in maintaining their Privileges (which he would not in any Point have infringed) and that the Privileges of Parliament extend to the Servants of the Commons from Arrests, as well as to the Persons of the Commons. It's worthy Observation with what Sobriety and Justice the Commons proceeded herein: They ordered

dered their Serjeant forthwith to repair to the Compter in *Breadstreet*, wherein Mr. *Ferrers* was committed, with his Mace to demand his Delivery, which the Serjeant did to the Officers of the Compter, who notwithstanding refused to do it, and beat and hurt some of the Serjeant's Officers, and broke his Mace; and during the Brawl the Sheriffs of *London* came in, who countenanced the Officers of the Compter, and refused to deliver Mr. *Ferrers*, and gave the Serjeant proud Language, and contemptuously rejected his Message: Hereupon the Commons commanded the Serjeant to demand the Sheriffs of *London* to deliver Mr. *Ferrers*, by shewing them his Mace, which was his Warrant for so doing; whereupon the Sheriffs delivered him accordingly; but then the Serjeant having further Command from the Commons, charged the Sheriffs to appear personally on the Morrow by eight of the Clock, before the Speaker in the nether House (or of the Commons) to bring thither the Clerks of the Compter, and such other of their Officers as were Parties in the Fray, and to take into Custody one *White*, who had wittingly procured the said Arrest, in contempt of the Privilege of Parliament.

The next day the two Sheriffs, with one of the Clerks of the Compter, and the said *White*, appeared in the Commons House, where the Speaker charging them with their Contempt and Misdemeanour, they were compelled to make immediate Answer, without being admitted to Counsel; and in conclusion the Sheriffs, and the said *White* were committed to the Tower, and the Clerk (which was the Occasion of the Fray) to a place called *Little Eaje*, and the Officer which did the Arrest, called *Taylor*, with four other Officers, to *Newgate*, where they remained from the Twenty eighth to the Thirty first of *March*, and then were delivered at the humble Suit of the Mayor and their other Friends.

The next Breach of Privilege reported by *Petit*, is eight Years after, viz. the fourth of *Edward VI.* by one *Withrington*, who made an Assault upon the Person of one *Brandling*, Burgefs of *New-castle*; but the Parliament drawing towards an End, the Commons sent *Withrington* to the Privy Council; but the Council would not meddle in it, and sent the Bill of Mr. *Brandling's* Complaint back again to the Commons according to the ancient Custom of the House; whereupon the Bill was sent to the Lords from the Commons, when *Withrington* confessed he began the Fray upon Dr. *Brandling*, upon which he was committed to the Tower. This was in the Year 1550.

Mr. *Petit* finds not another Breach of Privilege, till the Fourteenth of *Elizabeth*, twenty one Years after, which was done by one *Arthur Hall*, for sundry lewd Speeches used as well in the Commons House, as abroad; who was warned by the Serjeant to ap-

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pear before the Bar of the Commons to answer for the same, and upon his Speech, upon the humble Confession of his Folly, he was remitted, with a good Exhortation given him by the Speaker. Here I observe these three Particulars.

1. The Rarity of these Breaches of Privileges of Parliament in former times.

2. The Justice of the Commons in their Proceedings of Breach of Privilege, to cite the Person or Persons to appear before them, to answer for themselves before the House passed any Censure upon them.

3. That in none of these Censures they enjoined the Delinquent to pay their Fees to their Serjeant, for the Serjeant is the King's Officer, and by the 26th West. 1. no Officer of the King's shall take any Fee or Reward for doing his Office, but what he receives from the King, upon Penalty of rendring double to the Plaintiff, and be further punished at the Will of the King. And Sir *Edward Coke* in his first *Inst. Lib. 3. Sect. 701. Tit. Extortioners*, says, this was the antient common Law, and the Penalties added by the Statute; and that tho some Statutes since have allowed the King's Officers in some Cases to take Fees for executing their Offices, yet none other can be taken but what such Statutes allow; and that all Officers of the King, who take Fees otherwise, are guilty of Perjury. I would know by what Law the Commons Serjeant takes his Fees, and how the Commons can absolve him from Perjury for taking such Fees.

Whereas in this Parliament rarely a Day passed wherein Men upon bare Suggestions, and absent, were not judged, and Execution ordered for high Breaches, and notorious Breaches of the Commons Privileges, yet most of these not foreknown, and ordered to be taken into Custody, tho in *Northumberland* and *Yorkshire*: and rarely I think any of them were discharged without paying their Fees, but what Fees was what the Serjeant pleased; nay, the Commons outrun all which was ever thought of before: For on Tuesday the 14th of December, having voted one Mr. *Herbert Herring* to be taken into Custody, and Mr. *Herring* absconding from being taken, the House resolved, "That if he did not render himself by a certain Day, they would proceed against him by Bill in Parliament for endeavouring by his absconding to avoid the Justice of the House. Though I doubt the Lords, in the Temper they were in, nor the King neither, would have passed such a Bill.

It was strange methought that the Commons should be so zealous against any Arbitrary Power in the King, and take such Latitude to themselves; which puts me in mind of a Story I have heard of an old Usurer, who had a Nephew, who had

got a Licence to preach, and the Uncle having never done any thing for his Nephew, he resolved to be revenged upon his Uncle in a Sermon which he would preach before his Uncle in the Parish where he lived, and made a most invective Sermon against Usury and Usurers; but after the Sermon was done, the Uncle thank'd his Nephew for his good Sermon, and gave him 2 Twenty-shilling Pieces: the Nephew was confounded at this, and begg'd his Uncle's Pardon for what he had done, for he thought he had given him great Offence; No, said the Uncle, *Nephew, go on and preach other Fools out of the Conceit of Usury, and I shall have the better Opportunity of putting out my Money.*

Yet so zealous were the Commons against Popery and Arbitrary Power, that upon the 15th of December they resolved that one Mean for the Suppression of Popery is, That a Bill be brought in to banish immediately all considerable Papists out of the King's Dominions.

And that a Bill be brought in for an Association of all his Majesty's Protestant Subjects, for the Defence of his Majesty's Person, the Defence of the Protestant Religion, and for the Preservation of his Majesty's Protestant Subjects, against all Invasions and Oppositions whatsoever, and for preventing the Duke of York, or any other Papist, from succeeding to the Crown.

And upon the 16th of December the Commons read another Bill the first time for exempting his Majesty's Protestant Subjects dissenting from the Church of England from the Penalties imposed upon the Papists; and upon the 18th ordered a Bill to be brought in to unite his Majesty's Protestant Subjects.

In this Ferment of the Commons this Parliament, they run counter to the Commons of the last Parliament; for then they chose Mr. *Edward Seymour* to be their Speaker, and when the King refused him, they were much disgusted: but in this Parliament the Commons the 25th of November impeached him upon four Articles, and a Motion was made for an Address to be made to remove him from his Majesty's Council and Presence. And in the last Parliament the Commons would not proceed to the Trial of the Popish Lords in the Tower, before the Lords should give their Judgment upon the Earl of Danby's Plea; whereas in this Parliament they proceeded to the Condemnation of my Lord *Stafford*, without taking any notice, that I can find, of having the Lords Judgment upon the Earl's Plea.

The Commons took Care also to prosecute and impeach all those that countenanced the Popish Plot, or were Abhorrrers of petitioning the King for the Meeting of the Parliament in the manifold Prorogations of it; and voted, *That it is, and ever hath been, the undoubted Right of the Subjects of England, to petition the King for the Calling and Sitting of Parliaments, and Redress of Grievances.* And

And that to traduce such petitioning as a Violation of Duty, and to represent it to his Majesty as tumultuous and seditious, is to betray the Liberty of the Subject, and contributes to the Design of subverting the antient legal Constitutions of this Kingdom, and introducing Arbitrary Power.

The first that fell under these Votes was Sir Francis Withens (after made a Judge) a Member of the Commons, whom they voted to be a Betrayer of the undoubted Rights of the Subjects of England, and ordered him to be expelled the House for this high Crime, and to receive the Sentence at the Bar of the House kneeling; which he submitted to.

The next was Sir George Jefferies, then Recorder of the City; and ordered that an humble Address be made to the King to remove him out of all publick Offices, and that the Members which served for the City should communicate this Vote to the Court of Aldermen.

Upon this Account (tho the Commons discriminated the Crime) they ordered Sir Giles Philips and Mr. Coleman to be sent for into Custody of the Serjeant at Arms, for detesting and abhorring the petitioning for sitting of the Parliament, and voted it a Breach of Privilege of Parliament: the like the Commons did by Captain William Castle, Mr. John Hutchinson, Mr. Henry Walron, Mr. William Stavel, Mr. Thomas Herbert, Sir Thomas Holt Serjeant at Law, and Mr. Thomas Staples: and because Sir Francis North (Chief Justice of the Common Pleas) advised, and was assisting in drawing up a Proclamation against petitioning for the sitting of the Parliament; the Commons voted, *That it was a sufficient Ground for the House to proceed against him for high Crimes and Misdemeanours.* The like Vote passed against Sir Thomas Jones, one of the Judges of the King's Bench, and Sir Richard Weston one of the Barons of the Exchequer. I do not find these Votes went further; but the Commons actually impeached Sir William Scroggs of High Treason, for discharging the Grand Jury of Middlesex before they had finished their Presentments, and for the Order made in the King's Bench against Care's Pacquet of Advice from Rome, in the History of Popery, that it should be no more printed or published by any Person whatsoever. I do not find the Articles particularly recited, but they were ingrossed upon the 7th of January, and the Impeachment carried up to the Lords by my Lord Cavendish, and received by the Lords.

Now, in this common Danger the Commons ordered Leave to bring in a Bill for a general Naturalization of all Protestant Aliens, giving them Liberty to exercise their Trades in all Corporations. Now it's time to see wherein the Lords and Commons did agree, and wherein they ran counter.

The Lords agreed with the Commons in repealing the Act of 35 Elizabeth, viz. for Payment of 20 l. per *menssem* for every Man who resorted not to his Parish-Church, being so terrible a Law, that it lay dormant above 80 Years, and in the Feuds between the Tories and Whigs, it was begun to be put in Execution; which the Commons apprehending would make a Breach so wide as to let in Popery, which would make no Distinction between Dissenters and the Sons of the Church, they brought in a Bill for repealing the said Act of 35 Elizabeth, which passed the Commons upon the 26th of November, and was sent up to the Lords, who agreed to it.

As the Lords joined with the Commons in passing this Repeal, so did the Commons join with the Lords in their Vote the 4th of January, viz.

Resolved by the Lords Spiritual and Temporal in Parliament assembled, That they do declare that they are fully satisfied, that there now is, and for divers Years last past there hath been, an horrid and treasonable Plot and Conspiracy, contrived and carried on by those of the Popish Religion in Ireland, for massacring the English, and subverting the Protestant Religion, and antient established Government of that Kingdom. To which the Commons added, That the Duke of York being a Papist, and the Expectation that Party had of his coming to the Crown, hath given the greatest Encouragement to the Popish Plot, as well in Ireland as here.

But the Lords ran counter to the Commons in the Bill intituled *An Act for securing the Protestant Religion*, by disabling James Duke of York to inherit the Imperial Crown of England, and Dominions and Territories thereunto belonging; for after the Reading it the first time in the House of Lords, and the Question being put, whether it should be read a second time, it was resolv'd in the Negative by above a double Majority of Votes.

If the Lords and Commons ran counter in some things, the King and Commons ran counter almost in every thing. The King's main End in calling this Parliament, was to get Money for the Preservation of *Tangier*, and in perfecting the Alliance he had made with Spain.

The Commons would not give any Money upon the Account of *Tangier*, for three Reasons: One was, For that as the state of the Nation stood, it might augment the Strength of the Popish Party, and encrease the Danger of the Nation: Another was, There were several Regiments besides the Guards in pay in *England*, which might be transported to *Tangier* with little Charge, and be maintained there as cheap as here: And the third was, That that Garrison was the Nursery of Popish Officers and Soldiers.

The Commons would not give Money for the pretended Alliance of mutual Obligations of Succour and Defence with Spain, for three Reasons.

1. The Jealousy they had of the King's Sincerity in this Alliance, and the more because the King did not declare to them what manner of Alliance this was, and it might be more to the Prejudice than Benefit of this Kingdom; or if it should have been to the Benefit of the Kingdom, they could have no more Assurance of the Performance of it, than they had of the Triple League, that made with the Prince of *Orange*, or that made between the King and *States of Holland* by Mr. *Thyn* on the King's Part, which were all broken almost as soon as made.

2. The Impossibility of any Benefit which could arise to *England* and *Spain* by such an Alliance: for if all *Christendom*, after the separate Peace which the King joined with the *Dutch Faction* in, could not uphold *Spain* and the *Spanish Netherlands* from falling under the Dominion of the *French*, how could the King, in the feeble and distracted state of the Nation, be in a condition to support it without them?

3. The Unreasonableness of giving Money upon this Account; for tho oftentimes the Kings of *England* have demanded Supplies for maintaining vast Wars, yet never any King of *England* before demanded Supplies for making Alliances, and not declare what such Alliances were.

But if any such mutual Alliances of Succour and Defence were made between our King and the King of *Spain*, I'm sure they were ill observed by the King; for two Years after, viz. 1682, the *French* blocked up the City of *Luxembourg*, and the next Year took *Courtray* (one of the six Towns delivered back to the *Spaniard*, by *Beverning's* separate Treaty from the Confederates) and keeps it to this Day; and so the *French King* does *Luxembourg*, which he took by plain Force from the *Spaniard* the next Year after, viz. 1684. I wish I could find any mutual Succour of Defence the King gave the King of *Spain* in any of these, either by this Alliance, or as the King was Guarantee in the Treaty of *Aix la Chapelle*, which in his Proclamation against the *Dutch*, in the second *Dutch War*, he declared he would maintain.

Nor did the Commons only run counter to the King's Designs of getting Money, but considering the dangerous and weak state of the Kingdom, as by the Debt the King had contracted by shutting up the *Exchequer*, and his squandering away almost all the ancient Revenues of the Crown; and to prevent the like upon the Revenue settled upon the King since his Restoration, upon the 7th of *January* resolved,

1. That whosoever shall lend or cause to be lent, by way of Advance, any Money upon the Branches of the King's Revenue, arising by Customs, Excise, or Hearth-money, shall be adjudged a Hinderer of the Sitting of Parliaments, and be responsible for the same.

2. That

2. That whosoever shall accept or buy any Tally or Anticipation upon any part of the King's Revenue; or whosoever shall pay such Tally hereafter to be struck, shall be adjudged to hinder the Sittings of Parliaments, and be responsible therefore in Parliament.

Now let's see wherein the King run counter to both Lords and Commons. After the Lords had agreed with the Commons in the Repeal of 35 *Eliz.* the Bill was taken from the Lords Table, and never heard of after, which no Man durst have done without the King's Command, at least Privy. Herein you may observe the Insincerity of the King's Indulgences, for dispensing with the Penal Laws against Dissenters, when he nourished those Ends by them which the Parliament dreaded; and now the Parliament would have legally eased them, the Bill must be ravished away.

Here is a greater Wonder yet to be told of this Parliament; for notwithstanding all these Discords between the Lords and Commons, and the King and the Lords and Commons, yet they all reconciled in making the Act against the Importation of *Irish Cattel, &c.* perpetual, thereby to perpetuate the Discords between the Kingdoms of England and Ireland, as much as those between *Whig and Tory.* And in this posture of Affairs the King prorogued the Parliament from the 10th to the 20th of January 1681, and upon the 18th dissolved them. This Dissolution caused a great Amazement in the Nation; but in some measure to allay it, the King summons another to meet the 21st of March following, at *Oxford.* This rais'd a Jealousy in the Nation and many of the Nobility, that there was some hidden Design nourished in the Court, which might have dangerous Influences upon the Nation and the Parliament too.

Hereupon 16 of the Nobility petitioned the King against the Meeting of the Parliament at *Oxford*; and my Lord of *Essex*, upon the Delivery of it, made a short Speech, which I believe was not forgotten afterwards.

The Lords in their Petition set forth, " That the King, by divers Speeches and Messages to both Houses of Parliament, declared to them the Danger which threatned his Person and the whole Kingdom, from the mischievous and wicked Plots of the Papists, and the sudden Growth of a foreign Power, from which no Remedy could be provided, unless by Parliament, and the uniting the King's Protestant Subjects.

" That upon the 21st of March 1679, his Majesty having chosen a Council of many honourable Persons, declared to the Parliament and whole Nation, That being sensible of the Evil of a single Ministry or private Advice, for the future he would refer all things to that Council, with the frequent Advice of his great Council of Parliament.

" That

“ That to their unspeakable Grief, that Parliament was soon
 “ after prorogued, and dissolved before it could perfect their in-
 “ tended Relief and Security to the Nation; and tho another
 “ were called, yet they were not permitted to sit till the 21st of
 “ *October* last, when his Majesty declared, That neither his Per-
 “ son nor the Kingdom could be safe till the Plot was gone
 “ through; yet upon the 10th of *January* following it was pro-
 “ rogued, whereby all their pious Endeavours to save the Nation
 “ were overthrown, and the good Bills for uniting his Protestants
 “ Subjects brought to nought, the Discovery of the *Irish* Plot dis-
 “ fied, and the Witnesses to prove the same discouraged, where-
 “ by the Strength and Courage of our Enemies both at home and
 “ abroad, are increased, and our selves and Country left in Dan-
 “ ger to be lost and brought to Desolation.

“ That in these Extremities, under God they had nothing to
 “ comfort them but the Hopes of the Parliament's meeting at the
 “ Day to which they were prorogued; but that not only failed by
 “ their Dissolution, but to call another at *Oxford*, where neither
 “ Lords nor Commons can be in Safety, but exposed to the Swords
 “ of Papists and their Adherents, of whom too many were crept
 “ into his Majesty's Guards; the Liberty of Speaking destroyed,
 “ and the Validity of their Acts left disputable: That the Strain-
 “ ness of the Place could not admit of the Concourse of People
 “ which follow the Parliament: That the Witnesses to give Evi-
 “ dence against the Popish Lords and others would be put to
 “ great Charges, which they cannot bear, nor trust themselves
 “ under the Protection of the Parliament, which it self is under
 “ the Power of Guards and Souldiers; and therefore pray that
 “ the Parliament may meet and sit at *Westminster*. Sir W. J. adds
 “ another Reason, “ That the Meeting of the Parliament at *Oxford*
 “ would have the Inconvenience of making use of the Journals
 “ of the Houses, and other Records.

I do not find what Answer the King gave the Lords, but
 he expressed his Displeasure by a Frown: and how loose so-
 ever he was in all his Promises to the Parliament, you'll see
 him steady in this of the Parliament's meeting at *Oxford*, yet
 not forget the Lords that petitioned him, whereof the Duke
 of *Monmouth*, the Earls of *Bedford*, *Essex*, and *Shaftsbury*, were
 four. But before we proceed to discover what was done in
 this short Interval between the Dissolution of this last *West-*
minster Parliament and the meeting of that at *Oxford*, it will
 not be amiss to take the Resemblance which was between the
Tories and *Whigs* at this time, with the Prerogative-Men and
 Puritans during *Land's* Regency in the Reign of King *Charles*
 the First.

In those Times the Prerogative and high-flown Church-men, however they were countenanced and preferred by the Court, yet of all Factions were the least considerable in the Nation, and had the least Interest in it, even less than the Papist; and when they had by their Extravagancies and tyrannical Dominion given such a Reputation to the Puritan Party, as by Contradiction or Opposition of them to be able to raise a War in the Nation; they were not only less assisting the King in it than the Papists, but generally ran counter, and they and their Sons joined with the Puritans against the King: So that the King being assisted in the War by the Nobility and Gentry, who desired to preserve the Constitutions of the Church and State, and by the Papists, the Storm fell upon them without Distinction; so that these equally exasperated against the Factions, upon King Charles's Restoration were easily reconciled to join against them: and thus it continued not only in the Body of the Nation, but in the Parliament for the first ten Years after the King's Restoration.

But then the Popish Designs at Court beginning to appear almost bare-fac'd, the Commons began to tack about, but so did not the Lords, especially the Lords Spiritual, who could not forget the Injury done, not only to their Persons, but their whole Order, as well in throwing them out of the Lords House, as extirpating Episcopacy: and the King having multiplied a Nobility of his Favourites, these joined with the Bishops (who yet maintained the King's absolute Power, under a new Title of *Passive Obedience* to it) had a great Majority opposite to the Commons.

As *Laud's* Instruments had the Dominion of the Press, whereby they vented all their Spight against the Puritans, and persecuted them if they made any Answer, so did the *Tories*; and as *Laud's* Faction stigmatized all others (except Papists) which were not of their Faction, with the Name of *Puritans*, so did the *Tories* all other but Papists, with the Name of *Whigs*. But herein the *Tories* in this Reign had a great Advantage above the Prerogative-men in King Charles the First's Reign; for this Prince was of a more parsimonious Nature, not at all becoming so great a Prince, and had not one third of the Revenue which his Son had, who profusely scatter'd it amongst his Minions and Favourites: and sure it will set an ill Character upon his Memory, to have it left upon Record by what strange ways to Honour and Justice, he made himself a Drudg to his Favourites to get Money from his Subjects to support them; whilst he became a Pensioner to the French King himself, and was so loose in all his Leagues which he made with all other Princes and States.

After the Popish Plot broke out, and the King had dissolved the Long Parliament, the whole *Genius* of the Nation became quite altered, as plainly appeared in their Election of the Commons in these two succeeding *Westminster* Parliaments, who for their Quality were equal to any House of Commons that ever was before; and the *Tories* have now as little an Interest in the Nation as the Prerogative-men had in King *Charles* the First's Reign in *Land's* Regency.

However the *Tories* were balked of the Expectation of their Pensions, by the Commons giving no Money in these two last Parliaments; yet they abated nothing of their Impudence in making all but themselves and the Papists to be *Whigs*, and that all was now running back to Forty One, and into a Commonwealth. In this Disguise, since the Meal-Tub Plot had no better Success, one *Fitz-Harris* the Son of Sir *Edward Fitz-Harris* (both *Irish*, and *Papists*) sets up another like that of the Meal-Tub, but was carried on with higher Countenance; for the Countess of *Powis* was the greatest concerned in that, but you'll see a greater concerned in this, tho the Design was as dark as secret, and the Discovery of it by all Court-ways endeavoured to be suppressed. So much as was suffered to come to Light was,

Edward Fitz-Harris was the Son of Sir *Edward Fitz-Harris*, who (it's said) was an Agent in the *Irish* Rebellion, if not in the Massacre in 1642. and this *Edward Fitz-Harris* was a great Correspondent with the Dutchess of *Portsmouth*, and her Woman *Mrs. Wall*, and the Confessor of the *French* Ambassador: and the Dutchess had several times supplied *Fitz-Harris* with Money, and at one Time with 250 *l*.

Fitz-Harris became acquainted with one *Everard* beyond Sea, where they were in the *French* King's Service: There was a strange Story of this *Everard*, for after the King's Restoration he was for about three Years kept in a dark Dungeon in the *Tower*, where 'tis said, the Nails of his Fingers and Toes grew like the Talons of a Hawk: but the Fact for which he was committed was as dark as was *Fitz-Harris's* Design.

About the Beginning of *February*, after the Parliament was dissolved, *Fitz-Harris* renews his Acquaintance with *Everard*, and represented to him the Advantages he might have by forsaking the *English* Interest, and ingratiating himself into the *French* and *Popish*.

Fitz-Harris told *Everard* he might be serviceable to this Interest if he would make a Pamphlet, which might reflect upon the King to alienate him from the People, and the People from the King. *Everard* said he would do any thing for his Interest, but did not understand this to be so; yet *Fitz-Harris*, upon the 21st of *February* gave some Heads by Word of Mouth to draw such a Pamphlet.

Everard

Everard acquaints several with what *Fitz-Harris* had said, and persuaded one Mr. *Smith*, in a concealed manner, to hear the further Discourse between *Fitz-Harris* and him: *Everard* also persuaded Sir *William Waller* to be there in like manner.

Upon the 22d Mr. *Smith* came to the Place appointed, but Sir *William Waller* did not: there *Fitz-Harris* gave *Everard* Instructions, That the King and all the Royal Family must be traduced to be Popishly and Arbitrarily affected from the Beginning; that King *Charles* the First had a hand in the *Irish* Rebellion; and that King *Charles* the Second did countenance the same by preferring *Fitz-Gerald*, *Fitz-Patrick*, and *Mont-Garret*, who were in the *Irish* Rebellion; that the Act forbidding the calling the King a Papist, was to stop Peoples Mouths, when he should encline to further Popery, which appeared by his adhering so closely to the Duke of *York*'s Interest, and hindering him from being proceeded against in Parliament, and hindering the Officers put in by the Duke, to be cast out; and for that the Privy-Counsellors and Justices of the Peace which were for the Protestant Interest, were turned out of all Places of Trust; and that it was as much in the Peoples Power to depose a Popish Possessor as a Popish Successor; and seeing there were no Hopes the Parliament, when they should meet at *Oxford*, could do any Good, the People were bound to provide for themselves.

After this, *Everard* and *Fitz-Harris* agreed to meet there the next Day; and in the mean time *Everard* sent a Letter to Sir *William Waller* to meet there, and be concealed, to take notice of the Passages: Sir *William* came, and was secretly placed by *Everard*; but before Sir *William* was so placed, *Everard* gave him two Copies of the Instructions which *Fitz-Harris* gave *Everard* to draw up into a Libel, which Sir *William* marked.

Soon after *Fitz-Harris* came and enquired of *Everard* what he had done; who answered, he had drawn two Copies of the Business, and prayed *Fitz-Harris* to see how he liked them: *Fitz-Harris* altered one of them, yet thought it not full enough, but would have it fair wrote out for the French Ambassador's Confessor. After that, *Everard* desired *Fitz-Harris* to give him his Instructions in Writing, in which Paper *Fitz-Harris* wrote, That it was in the Peoples Power to depose a Popish Possessor as well as Successor, and other treasonable Heads. And next Day *Fitz-Harris* came to *Everard* for a Copy fair written out, which was delivered to *Fitz-Harris*, who promised *Everard* a Recompence, which was to be the Entrance into the Business; but *Everard* should be brought into the Cabal, where several Protestants and Parliament-Men were to give an Account to the French Ambassador of what was transacted. But before *Fitz-Harris* was to receive the Libel back, he was to go to my Lord *H—* of *Eserick*.

Before this, *Fitz-Harris* had received of the Dutcheſs of *Portsmouth* 250 l. to bring my Lord *H—* to the King's Interest. *Mrs. Wall* ſaid ; which *Fitz-Harris* purſued ſo well, that my Lord waited ſeveral times upon the Dutcheſs, and found the King there; and the Night before my Lord *Stafford's* Sentence, *Fitz-Harris* came to my Lord from the King, and told him, that the King would take it as a great Reſignation of my Lord to the King's Will and Pleaſure, if the next Day my Lord would go vote for my Lord *Stafford*.

This Deſign was to be carried on in the Name of the Non-conformiſts, and put upon them, and to be diſperſed by the Penny Poſt to the Proteſting Lords and leading Men in the Houſe of Commons, who were to be taken and ſearched ſo ſoon as they received it. *Everard* ſaid the Court had a Hand in it, and that the King had given *Fitz-Harris* Money, and would give him more if it had Succeſs; and the King told Sheriff *Cornish*, that *Fitz-Harris* had three Months before his Apprehenſion been with the King, and acquainted him that he was in Purſuit of a Plot, which much related to his Maſteſty's Perſon and Government; which the King did countenance, and gave him ſome Money.

Sir *William Waller* acquainted the King with the Particulars he had taken whiſt he was concealed: the King thank'd Sir *William*, and commanded Secretary *Jenkins* to iſſue out a Warrant for apprehending *Fitz-Harris*, and Sir *William* to take Care for the Execution of it.

But Sir *William* was no ſooner gone, but Sir *William* ſaid he was informed by two worthy Gentlemen, that the King was highly offended with him, and the King ſaid he had broken all his Meaſures, and that he would have him taken off one way or other.

Sir *William* was as forward in taking *Fitz-Harris*, as before he was in diſcovering his Plot; and having apprehended him, he was committed to *Newgate*, where he was examined by Sir *Robert Clayton* and Sheriff *Cornish*, to whom *Fitz-Harris* declared his Willingneſs to diſcover the whole Deſign the next Day after: but *Fitz-Harris* next Day was removed to the Tower, which was not done to Sir *Thomas Gascoign*, and the Populiſh Lords.

Upon the 21ſt of *March* the Parliament met at *Oxford*; the Members of the Commons were generally the ſame as the laſt Parliament, and thoſe which were not, were of the ſame Kidney as the others were; ſo that they proceeded where the laſt Commons left, and ſat but ſeven Days, wherein they had theſe four Conſiderations under their Debates; firſt, the preparing a Bill againſt the Duke of *York's* Succeſſion; the ſecond, the taking the Bill of the Repeal of the Act of 35 *Eliz.* out of the Houſe of

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Lords; the third an Inquiry into *Fitz-Harris's* Business; the fourth a Prosecution against the impeached Lords in the *Tower*.

The Commons spent the three first Days in choosing their Speaker, and confirming him, and in taking Oaths as the Laws direct; so that it was *Thursday* the twenty fourth of *March* before they entred upon any Business, and being dissolved upon the *Monday* following, they could make but little Progress upon the four Particulars aforefaid; and each of them was so green, that the Court would not endure much Enquiry into any one of them.

Upon the Debate of *Fitz-Harris's* Business, one of the Members reported how that one *Hubert* had confessed that he had fired the City of *London*, upon which the House resolved to examine him next Morning, but before the House sat next Morning, *Hubert* was hanged to prevent it; and they remembered there was a Design to have tried the Popish Lords in the Tower by Indictment, to prevent which the Commons exhibited general Impeachments against them, with that Success that the Lords were never tried upon Indictments, and the Judges gave their Opinions they could not.

Hereupon the Commons ordered an Impeachment of *Fitz-Harris*, upon *Friday* the twenty fifth of *March*, and ordered Sir *Lionel Jenkins* to carry it up to the Lords, who at first refused it, saying, *The sending of me upon this Message reflects upon my Master the King, and do what you will I will not go.* Hereupon several moved to call him to the Bar, and several Speeches were made of his Offence; but at last he relented, and carried up the Impeachment to the Lords, but the Lords threw it out.

But the Lords having thrown out the Impeachment, the Commons, the next Day being *Saturday* the twenty sixth, ran high in their Debates upon it: One said, this was to have no further use of a Parliament, but to serve a present Purpose: Another said, Indictments were brought against the Lords in the *Tower*, yet that was no Impediment against their Impeachment in the Lords House; and the last Day of the last Sessions of Parliament, the Lords accepted an Impeachment of the Lord Chief Justice *Scroggs*; and that this Denial of Justice by the Lords, was greater than my Lord Chief Justice *Scroggs's* Denial of taking Presentments from the Grand Inquest of *Middlesex*, by how much the Commons of Parliament are the great Inquest of the Nation. Another said, this is a new Plot against the Protestants, of which *Fitz-Harris* is accused, and the Commons impeach him, and the Lords say, *We will not hear it*; and that if it were not for the Lords, *Fitz-Harris* might have discovered all the Conspiracy, and the Protestant Religion might have been saved; and therefore moved, *That the denying this Impeachment, tends to the*

Subversion of the Constitution of the Parliament, and of the Protestant Religion.

Another said, That this was a Confirmation of the Design to murder the King, and the Duke consenting to destroy his own Brother, and our King; and therefore moved, " That if any Judge, Justice " or Jury proceed upon *Fitz-Harris*, and he be found Guilty, " That the House would declare them guilty of his Murder, and " Betrayers of the Rights of the Commons of *England*: to which was added upon the Motion of Sir *W. J.* " or that any Inferiour " Court shall proceed, &c. which was passed.

The Reason of these Votes were, That if *Fitz-Harris* were tried upon an Indictment, he must have been tried singly upon the Fact, whether he were guilty or not of contriving and dispersing the Libel, but upon an Impeachment the Commons might enquire into the whole Conspiracy.

Sunday March 27. The Houses sat not, and the next Day, *Monday 28*, in the Morning the King came suddenly and unexpectedly to the House of Peers, and sent for the Commons and dissolved the Parliament, and immediately took Coach and drove to *Windsor*, leaving both Houses in an Amaze, and the City of *Oxford* in a Hubbub.

If it were Sir *William Jones* who wrote the just and modest Vindication of the two last Parliaments, viz. the last *Westminster* Parliament, and this at *Oxford*, pag. 393. he says, *The Peers at Oxford were so wholly ignorant of the Council, that they never thought of a Dissolution, till they heard it pronounced*; yet the Dutchess of *Maximarine* published the News at *St. James's* many hours before it was done.

If the Nation, as well as the Parliament and City of *Oxford*, were amazed at this Dissolution and Manner of it; they were not less with the Declaration that followed it, which though the King did not communicate to the Council till *Friday* the eighth of *April*, yet the next Page says, *Monsieur Barillon*, the *French* Ambassador, read it to a Gentleman upon the fifth of *April* before, and demanded his Opinion of it, which the Ambassador might better remember because of the great Liberty the Gentleman took in ridiculing it to his Face.

It's observable that that Declaration was printed in *French* as well as *English*; and many *Gallicisms* in it, and particularly, *That it was a Matter extremely sensible to us*, which was a Form of speaking peculiar to the *French*, and unknown to any other Nation.

The Substance of the Declaration contained the Dissatisfaction the King took at the two *Westminster* Parliaments, that they gave him no suitable Return to support the Alliances which he had made for the General Peace of *Christendom*; nor for the further Examination into the Plot; nor for the Preservation of *Tangier*; and for their

their Votes, " That no Man should lend any Money upon any " Branches of the Revenue, or buy, or pay any Tally of Antici- " pation upon any part of the King's Revenue. (This was not " so, for the Commons restrained them to the Custom, Excise, " and Chimney-money given for other Ends; see the Votes) that " they passed a Vote, *That the prosecuting of Protestant Dissenters " was a Grievance to the Subject, &c.* by which they assumed to themselves a Power of suspending Laws; " So the Commons " might do any other Law found by Experience to be grievous " and dangerous to the Subject, and must do so in order to repeal " such Laws; and did not the King do so twice before by his " Declaration of Indulgence, though to a contrary End to what " the Commons intended?

That these Proceedings caused him to dissolve that Parliament, and to assemble another at *Oxford*, who had warning given them of the Errors of the former, and were required to make the Law of the Land their Rule; and adding, that he would not depart from what he had formerly declared concerning the Succession, yet declared he was ready to hearken to any Expedients by which the Religion established might be preserved, yet the Monarchy preserved; viz. *How to preserve Fire and Water mingled together: and was not the Monarchy of Scotland preserved, though his Grandfather reigned twenty Years in Scotland while his Mother was alive, without her, and so continued after her Death?*

That no Expedient would be entertained but a total Exclusion; nor could be, nor did the King ever propound any, how otherwise the established Religion might be preserved.

That the Business of *Fitz-Harris* was carried to that Extremity, that there were no hopes of a Reconciliation, &c. and put the Houses out of a Capacity of transacting Business: it was upon *Friday* the twenty sixth of *March*, the Commons sent up the Impeachment of *Fitz-Harris*, and there were but *Saturday* and *Sunday* between this and the Dissolution of the Parliament, and the Houses sat not on *Sunday*, so that the King's no Hopes (or indeed Fears) of a Reconciliation were very sudden; " Why might not the " Lords, if they had been permitted to have sat upon Conferences " with the Commons, and hearing their Reasons, have altered their " Resolutions, which is usual? and it seems this Resolution of the " Lords was very sudden, and admitted of no great Debate, to receive the Impeachment of *Fitz-Harris*, and the same Day to throw " it out, which caused him to put an end to that Parliament.

However the King says, that notwithstanding the Malice of ill Men, who laboured to persuade the People that he intended to lay aside the Use of Parliaments, he declared that no Irregularity in Parliament should make him out of love with them, and that he was resolved to have frequent Parliaments (*yet lived near four*

Tears after, and never called another) and in the Intervals would use his utmost endeavours to extirpate Popery, and redress the Grievances of his Subjects (the truth of this will best appear hereafter.)

This Declaration, which carries the Title of his Majesty's Declaration to all his loving Subjects, was ordered to be read in all the Churches of England; but if the Matter of it were so surprizing and amazing to the Nation, the Manner of it was not less. For never any King of England before, as King, no not this King's Father or Grandfather, ever spake to his Subjects, but either personally in Parliament, or under the Broad Seal of England; Whereas this Declaration is only Signed *Francis Gwyn*, it might have been as well *Edward Coleman*, and the Subjects as much obliged to have taken notice of the one as of the other.

And the Reason is twofold, one, That the Chancellor or Keeper is responsible if he puts the Seal to any Declaration or Proclamation not warranted by Law; and therefore my Lord Chancellor *Finch's Sagacity*, in not putting the Seal to this Declaration, was as apparent as his *Veracity*, which he would not expose in seconding the King's Speech at the opening the last *Westminster Parliament*: And the other is to avoid all Impostures and Cheats, which might otherwise be imposed upon the Nation, under the Name of the King.

That we may take a better View of the rest of this King's Reign (if it be worthy to be called so) it's fit we look into *Scotland*, and see what's doing there for the Discovery of the Popish Plot; but it's fit to look a little back, and take notice that the King in his Speech at the opening of the Second *Westminster Parliament*, told them that to take away all room for any Jealousy of his not prosecuting the Discovery of the Popish Plot, he had sent his Brother beyond Sea; but having by the Duke of *Monmouth*, wholly suppressed the *Kirk Party* in *Scotland*, he fairly sends for the Duke of *Tork* back again, and from an Exile made him Vice-Roy or Regent of *Scotland*, where all things lay open for him to prosecute his Designs as he pleased.

When the Duke came into *Scotland*, the Earl of *Argyle* was one of the first that waited upon him: The Earl's Story will better appear, if first you take his Character.

He was Son of the Earl of *Argyle*, after made Marquess by King *Charles* the First, who so preferred him, to take him off from heading the *Kirk Party*, and thereby to oblige him to become of the King's side; which had no Effect, for the Marquess, above any other of the *Scottish Nobility*, was a most zealous Assertor of the *Kirk's* Power, and was the Head of them when *Montros* took up Arms against them; but though the Marquess was most unfortunate in it, yet it no ways abated his Zeal to the *Kirk*, nor was he less esteemed by them.

When

When *Cromwel* had overthrown Duke *Hamilton*, and taken him Prisoner, who came into *England*, not to establish the National League and Covenant, but to deliver King *Charles* out of Prison: The zealous *Kirk Party* were highly offended at it, and the Marquess of *Argyle* was the principal Agent to call *Cromwel* into *Scotland* to suppress the *Hamiltonian Faction*, and to establish the *Kirk*; which *Cromwel* then did (though he undid it soon after) and for this the Marquess was, the first Year after the King's Restoration, condemned and executed for High Treason, upon which he lost all his Honours as well as his Estate.

But in all the Marquess's Actions, his Son, the Lord *Lorn*, run counter to him, and when this King *Charles* was in *Scotland*, he was of all others the most obsequious to him; and afterward when *Middleton* made some Incurfions into *Scotland* for the King, *Lorn* was most assisting in them: Hereupon, after the Marquess was attainted and executed, King *Charles* restored his Son to all his Father's Estate and Honours except that of Marquess.

Afterward the Earl of *Argyle* continued constant in his Integrity to the King in all his Civil Affairs, and was most zealous and forward in suppressing Tumults, and Field-Conventicles; so that before the Duke came into *Scotland*, the King had so entire a Confidence in the Earl, that he gloried that in thirty Years (which must be computed from the King's going into *Scotland* in 1650) he never received one Frown from the King: how he should become such a perjured Traitor after the Duke's coming into *Scotland*, is now to be enquired into.

The Earl of *Argyle* was one of the Lords of the Articles, and by the Duke made one of the Committee for the Articles of Religion, which by the Custom of *Scotland*, and by the King's Instruction, was to be the first thing treated of.

In this Committee, an Act was prepared for securing the Protestant Religion, which approved the Confession of Faith; and also the Act containing the Coronation Oath, to be taken by all the Kings and Regents of *Scotland*, before their entry to exercise their Government.

This Act, as drawn, was less binding to the Successor of the Crown, as to his own Profession; yet did oblige as strongly the Maintenance of the Protestant Religion in the publick Profession by all others, as before, and added a Test to be taken by all in publick Employments, to exclude the Popish Party out of them: and because in case of a Popish Successor, all Fines and Forfeitures by Papists would be insignificant, viz. remitted, this intended Act did ordain, that such Fines and Forfeitures, one half should be to the Informers, the other to charitable Uses.

But this Act being so contrary to the Duke's Design, the Committee of Religion was discharged from meeting again; and another

ther short Act was brought into Parliament, ratifying all former Acts for securing the Protestant Religion : so that in this first Act the Duke pursued not his Instructions, but went contrary to them, and to the Custom of *Scotland*.

At the passing this Act the Earl of *Argyle* proposed that all Acts against Popery might be added, which was opposed by the King's Advocate, and some of the Clergy ; yet seconded by Sir *George Lockhart*, and the President of the Sessions, it passed without a Vote : but such was the Jealousy of the Parliament, that this did not secure the established Religion, that several of the Members desired other Additions and Acts, which the Duke in open Parliament promised, when Time and Opportunity offered, should pass ; but when at any time this was proposed, the Test was obtruded.

If the Parliament were so zealous to secure the established Religion, the Duke was not less to secure the Succession of the Crown of *Scotland*, shrewdly struck at in *England*, in the very Person of the Duke ; and to that end a Bill was brought in and passed, wherein it was declared High Treason to affirm that the Succession of the Crown of *Scotland* can be altered from the next of Proximity of Blood : but how agreeable this was to the Title of the *Bruces* and *Stuarts*, who had no Title to the Succession of the Crown of *Scotland* but by Act of Parliament, has already been shewed ; and how disagreeable this Act was to the Duke's Grandfather's Succession to the Crown of *Scotland*, without any Act of Parliament, let any Man judge.

This Act was not only thus contrary to the Laws and Usages of *Scotland*, but the Act is equivocal, if not contradictory to the Duke's Design : for there is a difference between the next Heir and the next in Proximity of Blood ; as if a Man had several Sons, and the eldest has a Son or Daughter, his Father living, and after his Father dies, his eldest Son's Son is Heir, and his other Sons and Daughters are next in Proximity of Blood ; the Heir being a degree in Blood further removed from the common Ancestor, than his Uncles or Aunts : and this was the case of *Richard II.* of *England*, Son of the Black Prince, *Edward* the Third's Eldest Son, who succeeded to the Crown of *England*, though his Uncles, the Dukes of *Clarence*, *Lancaster*, *York* and *Cambridg*, were nearer of Blood to *Edward* the Third.

This Act for the Succession of the Crown of *Scotland*, was succeeded by another called the Test, as contradictory to it self, as contrary to the Act of Succession, to be taken by all Persons in publick Trust in *Scotland*, wherein they solemnly Swear, in the Presence of the Eternal God, whom they invoke as Judge and Witness of their sincere Intention of this their Oath,

“ That they own and profess the true Protestant Religion contained in the Confession of Faith, recorded in the first Parliament

ment of King *James* the Sixth, and believe the same to be founded on, and agreeable to the Written Word of God : That they will adhere thereto, and endeavour to educate their Children therein, and never consent to any Change or Alteration contrary thereto ; and renounce all Popish and Fanatical Doctrines inconsistent with the said Protestant Religion and Confession of Faith. And by this their solemn Oath they Swear, That King *Charles* the Second is the only Supream Governour of this Realm, over all Persons, and in all Causes, as well Ecclesiastical as Civil ; and renounce all Foreign Jurisdiction of the Pope, or any other Person : and promise to bear true Faith and Allegiance to the King, his Heirs and Lawful Successors, and to their Power to defend all their Rights and Prerogatives. And by this their solemn Oath they Swear, They judg it unlawful for Subjects, upon pretence of Reformation, or any Pretence whatsoever, to enter into any Covenants or Leagues, or to convene, &c. in any Council to treat of any Matter of State Ecclesiastical or Civil, without his Majesty's special Command, or express Licence ; or to take up Arms against the King, or those commissioned by him : That they will never rise in Arms, or enter into such Covenants or Assemblies : That there lies no Obligation upon them by the National Covenant, or the solemn League or Covenant, or any other way to endeavour any Change or Alteration of the Government, either of Church or State, as by Law established : and promise and swear to the utmost of their Power, to maintain the King's Jurisdiction against all deadly, and as they shall answer it before God : and that they took this Oath in the true and genuine Sense and Meaning of the Words, without any Equivocation, Mental Reservation, or Evasion, and never to accept of any Dispensation from any Creature. So God help them.

By these two Acts you may observe the *Scottish Temper*, (whether it were natural, or in contradiction to the *Kirk-Party*, I will not say, nor how much higher it flew than the *Tory* in *England*) but because of the extraordinariness of these two Acts, it's fit to make some Reflections upon them. Such another Law as that of the Succession, was made the twenty first of *Richard* the Second, in the Case of *Roger Mortimer*, which lasted not longer than the next Year after, when the Law was not only repealed, but *Henry* the Fourth succeeded contrary to it ; whereas this Law continued for above eight Years after, when it not only lost its Force, but another Face appeared in *Scotland*, and so continues in spite of this Law. Now from this treasonable Law, let us make some Remarks upon this ranting, swearing Law, called the *Test*.

We have said elsewhere, that all Oaths are assertory of the Truth of Things, Speech and Actions in time past, or promissory

ry to do or forbear to do some Act in time to come : and now let's consider what is Truth, and the End of an assertory Oath.

Truth is proper to intellectual and reasonable Creatures ; and is either the apprehension of intelligible Beings, as God, a Law, the Soul, Time, &c. which can never be the Objects of Sense, and of the Causes and Consequences of Intentions, Speech and Actions, for Sense is not of Futurity, but of present Things and Actions ; the Consequence or Inference will be whether good or bad, just or unjust, &c. However all intelligible Beings, and the Causes of Things and Actions are ever assumed, not sworn to ; and if another does not nor will assent to them, swearing to the Truth of them will be to no purpose : So it is of the Consequence of Speech and Actions ; if another be not convinced from the Reason of such Consequence or Inference, swearing it to be so will never do it.

But though sensible Things, Speech and Actions, are perceived by the Senses, and understood to exist or be, yet these are known to be by some, and not by others ; and in Justice and Judgment, the end of an assertory Oath is to inform the Judge of the Truth of what a Man knows, which otherwise might be concealed : and here I say, that as God's Name in Religion, Piety and Justice, is to be invoked, when it is not in vain, but for God's Honour ; so otherwise to use or abuse his sacred Name in vain, is dishonourable to God, and makes it vile and contemptible. Now let's see how the ranting Swearing of this Test agrees with the Religion and Obligation of an Oath, and observe it in its Particulars or Confusion. It begins,

I solemnly swear in the Presence of the Eternal God, whom I invoke as Judge and Witness of this my sincere Intention of this my Oath, that I own and profess the true Protestant Religion contained in the Confession of Faith, recorded in the first Year of King James the Sixth.

So that here is a most horrible Swearing, and Invocation of God's sacred Name, and yet neither an assertory nor promissory Oath ; for an assertory Oath, is of some Act or Speech in time past, which was transient, and not when the Oath was taken ; and a promissory Oath is of time to come : whereas in this Oath the Taker swears in the present time he does own the Protestant Religion recorded in the Confession of Faith in the first Year of King James the Sixth. I believe there is such a Record, intituled, *The Confession of Faith*, in the first Year of King James the Sixth, because *Spotiswood* and other *Scottish Authors* say so : but to swear by the Eternal God, that it contains the true Protestant Religion (when the Name is not in it) is such an implicate Faith as can scarce be found in the most superstitious in the Church of Rome. Christian Faith is a Belief of God's Revelations in the Scriptures ; to which

if any add or diminish, his Name shall be blotted out of the Book of Life, Rev. 22.18,29. But where the *Scots* found their Confession of Faith in the first Year of King *James*, *Knox* no where tells, tho he was the Founder of it.

And I believe the same to be agreeable to the Written Word of God.

But what need you swear by the Eternal God you do so? If you demonstrate or give the Reason of your Belief, which you do not, this might convince another, which your Swearing never will.

That I will adhere thereto, and endeavour to educate my Children therein.

The more obstinate Man you, and so much the worse for your Children.

And never consent to any Change or Alterations thereto.

This might have been left out, for if you adhere to it, you cannot consent to any Change or Alteration.

And renounce all Popish and Fanatical Doctrines inconsistent with the said Protestant Religion, and Confession of Faith.

I take a Renunciation to be a Disclaimure of what was before; so that if you renounce all Popish and Fanatical Doctrines, &c. it seems before you owned them: yet you neither tell what these Popish and Fanatical Doctrines are, or wherein they are inconsistent with the Protestant Religion and Confession of Faith; or how you come to know so: and if you do not, it ill becomes you to prostitute God's sacred Name, to swear to what you do not know.

And by this my solemn Oath I swear that King Charles the Second is the only Supream Governour of this Realm, over all Persons, and in all Causes, as well Ecclesiastical as Civil.

By which of your Senses do you know this, by your seeing, smelling, touching or tasting? Or if it be by another's having told you so, will you swear to whatever another tells you? Or if another should tell you that King *Charles* the Second is not the only Supream Governour, &c. will you swear by the Eternal God he is not so? or if King *Charles* should be dead when you are swearing this, which he may for ought you know, how long will you hold of this Mind?

And that I renounce (what, again?) all foreign Jurisdiction of the Pope, or any other Person.

If I cannot take your Word, I'll not think the better of it for your swearing to it.

And promise to bear true Allegiance to the King, his Heirs, and Lawful Successors.

'Tis well if you hold long in this Mind; but before you renounced all foreign Jurisdiction of the Pope, suppose (and be not affrighted at it) King *Charles* the Second, and his Lawful Successor, should now be contriving the bringing in this Foreign

reign Jurisdiction; how by the Eternal God, would you bear Faith and Allegiance to them herein?

And to my Power defend all their Rights and Prerogatives, &c.

Yet you neither declare what these Rights and Prerogatives are which you swear to defend; and 'tis twenty to one you do not know these Rights and Prerogatives; and so you solemnly swear to you know not what: or suppose the King and his Lawful Successor should say it was one of his Prerogatives to bring in the Papal Jurisdiction; how would this consist with your solemn Faith and Allegiance to the King and his Lawful Successors, and your renouncing all Foreign Jurisdiction?

And I judg it unlawful for Subjects, upon Pretence of Reformation, or any Pretence whatsoever, to enter into any Covenants or Leagues, or to convene, &c. in any Council, to treat of any Matter Ecclesiastical or Civil, without his Majesty's special Command, and express Licence, or to take up Arms against the King, or those commissioned by him.

So that here you judg without any Reason of your Judgment, and must have your Judgment pass for current because you swear to it; and at this rate you may swear and judg as you please, and sure never before was ever Religion or Judgment established upon such Foundations.

That I will never rise in Arms, or enter into such Covenants or Assemblies.

For all your swearing to this, yet I believe my Lord Commissioner will not trust to your Oath, and the rather because you were so loose to it in observing your solemn League and Covenant, which you swear with as fervent Affection, as you now seem to do to this, and with Hands and Heart lifted up to the most high God.

That there lies no Obligation upon me by the National Covenant, or solemn League and Covenant, or any other way to endeavour any Change or Alteration of Government, either in Church or State, as now established.

Does there lie no Obligation upon you by the solemn League and Covenant, &c. to endeavour any Change or Alteration in Church or State? why, you as solemnly swear that as this; and by that you swear to extirpate Prelacy, and here you swear never to endeavour any Change of it. Or do you think you please his Highness my Lord Commissioner herein, whose Business it is, not only to make Alterations, but to subvert your Church and State? And if you will make no Alterations in either, it will not be long before you shall see Alterations made in both without you.

And I promise and swear to maintain the King's Jurisdictions against all deadly, as I shall answer it before God.

Why

Why this again? For before you sware to maintain all the King's Rights and Prerogatives, and what does the King's Jurisdiction add to them? However you are very prodigal of your Swearing; and if his Highness will not believe you for your Swearing before, you'll try how far he'll believe you now.

And that I take this Oath in the plain and genuine Sense and Meaning of the Words, without any Equivocation, Mental Reservation, or Evasion, and never to accept of any Dispensation from any Creature. So God help me.

This is well sworn to interpret your Truth and Sincerity, especially when the whole Oath is Confusion, Equivocation, or Contradiction, and not one plain and intelligible Sentence in it.

In the Debates in Parliament for passing this Test, the Earl of Argyll declared his Opinion, That as few Oaths as could be should be imposed; and that the Oath of Allegiance and Declaration had effectually debarred all Fanaticks of getting into any Places of Trust; and though some Papists had swallowed the Oath, yet a Word or two of Addition to guard against them, was all he judged necessary.

The Earl opposed the dispensing with the King's Sons and Brother's taking the *Test*, for that the King and People were of one Religion, and hoped the Parliament would do nothing to loose what was fast, nor open a Gap for the Royal Family to differ in Religion; for their Example, if it once appeared to the People to be honourable, would have more Followers than a Thousand others would have; and therefore wished, if any Exception were, it might be particular to his Highness: which the Duke opposing, the Earl concluded, if it did pass, it would do more hurt to the Protestant Religion, than all the rest of the Acts and many other Acts would do good.

This Plainness of the Earl was the Cause of all that befel him, as he was afterwards told by the Bishop of *Edinburgh*; but the first Appearance of the Duke's Displeasure, was two Bills given in against him, one by the Earl of *Errol*, the other by the King's Advocate, who acknowledged it to be done by Commandment, otherwise it was without his Line. These struck at the Earl's Estate and Honours; only that of *Errol* was, that the Earl's Estate might be liable to pay him and others for the Debts contracted by his Father: The Advocate's Claim was to all his Heritable Offices.

But the Duke being informed that a Judgment in this Case, would have exposed the Marquess of *Huntley's* Estate, (who was a zealous Papist) the Duke of his own Accord put a full Stop to it; for he found, he said, it did plainly impugn the King's Prerogative, and might be of ill Consequence.

After

After this the Parliament was adjourned, and a new Design was to get a Commission from the King, to review all the Earl's Rights and heritable Offices, and to charge his Estate for more than 'twas worth: Hereupon the Earl applied himself to the Duke against such a Commission, and intreated him, that if any quarrelled his Right, his Case might be remitted to the ordinary Judicatories according to the established Laws of the Land; but this was not granted, yet the Duke was pleased to allow the Earl time to go into the Country to bring his Evidence, with a Promise the Commission should pass till the Earl's Return. But you'll see something more than the Earl's Estate was designed.

For the Earl was no sooner gone, but he and the President of the Sessions were turned out of it: Hereupon the Earl wrote to the Earl of Murray, the King's Secretary, praying leave to wait upon the King, which he was pleased readily to grant; and upon his Return to *Edinburgh*, begg'd the same Favour of the Duke, who told him he might not kiss the King's Hand till he had taken the Test.

Here you may observe, the Test was not to be taken by any but those who bear Office, nor to be imposed upon any before the First of *January* 1680, and this was about the Beginning of *November* before: and the Earl being acquainted that one of the Clerks of the Council was appointed to summon the Earl to the Council the next Day, which he conceived to be to take the Test, he asked the Duke, if with his Favour he might not have the Allowance by the Act? The Duke told him no; and the Earl urged it again in vain; all the Delay he could obtain was but till *Thursday* the third of *November*, the next Council-Day of Course: Then the Earl said, he was the less fond of the Test, because he found some who had refused it, were still in Favour, and others, as the Register, who had taken it, were turned out; at which his Highness laugh'd. But how comes your Highness, said the Earl, to press the Test so hastily? Sure there are some things in it which your Highness does not overmuch like. To which the Duke answered angrily and in a Passion, most true, that the Test was brought into Parliament *without the Confession of Faith*; but the late President caused put in the *Confession*, which makes it such as *no honest Man can take it* (which is a greater Contravention and depraving the Test, than the Perjury and Treason charged upon the Earl for them;) then the Earl replied, he had the more Reason to advise.

In this Interval the Earl spake with the Bishop of *Edinburgh*, and saw his Explanation of the Test, and that of the Bishop of *Aberdeen*, and the Synod's Explanation of the Test, and the Explanation of it by the Synod and Clergy of *Perth*, and that of the Earl of *Queensberry*; which as they differ all from one another, so were they

they printed and made publick, and which you may read at large in the Earl of Argyle's Case.

It's observable, that tho by the Test they swear the Confession of Faith, recorded in the first of King James the sixth, *To be founded upon and agreeable to the Word of God, and that they will never consent to any Change or Alteration thereto, and at last swear they take it in the plain and genuine Sense and Meaning of the Words without any Equivocation*; yet the Bishop of Aberdeen, and the Synod, in the 2^d Article of their Explanation say, *We do not hereby prejudg the Churches Right to, and Power of making an Alteration in the said Confession, as to the Ambiguity and obscure Expressions thereof, or of making a more unexceptionable Frame*: and having made several other Exceptions, the Sixth Article concludes, *When we swear that we take the Test in the plain and genuine Sense of the Words, &c. we understand it only so far as it does not contradict the Exceptions.*

And the Synod of Perth makes four explanatory Exceptions to the Test, and the fifth concludes, *When we swear in the genuine and literal Sense, we understand it so far as the Test is not opposite or contradictory to the aforesaid Exceptions*; and before they subscribed this, they were allowed to insert after the Oath, *We underwritten, do take this Oath, according to the Explanation made by the Council, approved by his Majesty's Letter, and do declare we are no further bound by it.*

Thus things stood with others, when the Earl of Argyle, upon Wednesday the Second of November waited upon the Duke, and humbly besought him to decline his present taking of the Test: but if his Highness would have a present Answer, he begg'd that he would accept of the Earl's refusing it in private, which the Duke denied; then the Earl desired he might go home and consider, and he would either give Satisfaction, or the time prescribed by the Act of Parliament would elapse, and then he would go off in Course and without Noise, which the Duke absolutely refused: upon which the Earl asked what good his appearing in Council to refuse (I think it should have been reside) there would do? to which the Duke answered, he need not appear, but employ some Friend to speak for him, and named one.

Hereupon the Earl drew a Letter to the Person the Duke named, wherein he exprest his constant Resolution to continue a true Protestant and loyal Subject, which were the true Ends of the Test: but the Letter concluding a Delay of taking the Test (*which no honest Man, the Duke said, could do*) and the Duke having given some Indication how little pleasing that Office would be to him; neither the Person named by the Duke, nor any Friend of the Earl's would by any means accept of it.

But the Earl being advised that an Explanation of the Test would be more acceptable, the Earl drew a short one, and put it into his Pocket, but would not offer it till he knew the Duke's Pleasure; and being told by the Bishop of *Edinburgh*, it would be very kindly accepted, the Earl went into the Council-Chamber, and with an audible Voice, read his Explanation of his taking the Test, close by the Duke, whereupon it was administered to him, which the Duke accepted with a Smile, and commanded him to take his Place, which at that time was next the Duke, and the Duke spake several times privately to him, and always pleasantly: However the Earl was so cautious, that after he had made the Explanation of the Test in Council, he would not communicate it to any other.

The Earl's Explanation was, *I have considered the Test, and I am desirous to give Obedience as far as I can. I'm confident the Parliament never intended any contradictory Oaths, therefore I think no Man can explain it but for himself; accordingly I take it as far as it is consistent with it self, and the Protestant Religion: And I do declare that I mean not to bind up my self in my Station, and in a lawful Way, to wish and endeavour in a lawful Way, any Alteration I think to the Advantage of the Church and State, not repugnant to the Protestant Religion and my Loyalty; and this I understand as part of my Oath.*

And as the Earl was so cautious in not communicating his Explanation of the Test, so was it never so much as charged upon him that he ever disparaged the Test, or dissuaded any other from taking it: However this must be the Grand Work for his, and only his Destruction; for, as was said, many others had explained their taking the Test, much more contradictory than the Earl had done, and printed and published their Explanations.

Next Morning the Earl waited upon the Duke, expecting his Yesterday's Countenance, and beginning to speak, the Duke interrupted him, and said he was not pleased with his Explanation: the Earl answered he did not give it till the Duke allowed him: the Duke acknowledged the Bishop of *Edinburgh* had told him, that he intended an Explanation, but the Duke said, he thought it would have been a short one, such as the Earl of *Queensberry's*: to which the Earl answered, he heard what he said, and that the Earl said the same thing in private to him; and the Earl going on to say more, the Duke interrupted him, saying, *It's past with you, but it shall pass so with no other.*

The next Day after the Earl was summoned again to the Council, to take the Test as one of the Lords of the Treasury, and an extraordinary Council was held at the Abbey: Where, so soon as they were met, the Test was tendered to the Earl, saying as before, when the Earl of *Roxburgh* standing behind the Duke, and never heard

heard to speak in Council before, with Clamour asked what the Earl of *Argyle* had said? which the Duke told him; upon which *Roxburgh* desired that what the Earl had said the Day before might be repeated, which at first he declined, till he was peremptorily commanded by the Duke; the Earl then said, he had a Note of what he had said in his Pocket, which the Duke commanded him to produce, which he did, and was willing to sign it; but the new Lord President (now made Chancellour) and the new made Register, did not agree whether the Earl should then sign it, the Treason not appearing, as when they talked of it in private: So the Earl was bid to withdraw, and when he was called in, he was positively required to sign the Paper he had given in; to which the Earl answered, that if the Words did please them, as when they were given in, he would; but if there were the least Matter of Displeasure in them, he would forbear: whereupon he was removed, and being called in, he was told he had not given the Satisfaction required in the Act of Parliament in taking the Test, and therefore could not sit in Council: to which the Earl answered, that he judged all the Parliament meant was to exclude the Refusers of the Takers of the Test from their Places, to which he submitted, and that as he had served his Majesty faithfully within doors, so he was resolved to do without doors, and so made his Obedience and went out. But now the Earl saw his Estate, Life and Honour were struck at, he communicated these Secrets to some for his own Vindication.

Upon Saturday the fifth of *November*, the Earl waited upon the Duke again, and told him he was strangely surprized that the saying he could not bind himself up in a lawful way, &c. as contained in the Paper, was looked upon as a Crime, when as he had said the same to him before without any Offence, and that the Duke then said they were unnecessary Words, that the Earl scrupled needlessly, and that he was not tied up by that Oath as he imagined; and that, after a little Pause, the Duke told him, you have cheated your self, you have taken the Test: to which the Earl answered, then he hoped his Highness was satisfied; but the Duke, after some other Expostulations, told the Earl, That he and some others had a Design to bring Trouble upon a Handful of poor Catholicks that would live peaceably however they were used, but that it should light upon others.

Now the Design appears barefac'd: for, would you think it, the Earl having delivered the Explanation of his taking the Test by the Duke's peremptory Command, this is interpreted a publishing of it; and upon Tuesday the eighth of *November*, a Council was called without calling the Earl to it, and an Order was sent by one of the Clerks of the Council to the Earl, that before 12 a Clock next Day, he should enter himself a Prisoner in the Castle of *Edinburgh*, and a Warrant was sent to the Deputy Governour to

keep him Prisoner, wherein the Word *Sure firmance*, tho fairly writ, was struck out: The Earl obeyed, and by himself alone, in a Hackney Coach, rendred himself a Prisoner accordingly: And now you'll see how absolutely in this deputed Authority the Duke demeaned himself without Reserve; what then might be expected from him in Case he should become King?

The Earl some Days after he had rendred himself Prisoner, wrote to the Duke, telling him how he had obeyed his Highness and Council's Order in rendring himself a Prisoner, and how that he wrote no sooner, lest he might be thought too impatient of Imprisonment, which appeared to be the Effects of high Displeasure, which he hoped he no ways deserved, and was resolved to continue all Duty and Obedience to his Majesty and Highness, and begg'd to know what Satisfaction was expected, where and how he might live in his Highness's Favour: to which no Answer was returned, but a Summons charging the Earl with *leasing making, and depraving of Laws*: And after another Summons came out, and published, with Sound of Trumper, charging the Earl with Perjury and Treason; but when it was told the Duke that such a Process threatened the Earl's *Life and Fortune*, the Duke said, *Life and Fortune! God forbid.*

The very Day, *November* the eighth, that the Council ordered the Earl to render himself a Prisoner, the Council sent a Letter to the King, wherein they sent the Earl's Explanation of his taking the Test, and how they had commanded his Majesty's Advocate to raise a Pursuit against the Earl upon it; yet expecting his Majesty's Commands for their further Prosecution of it.

But the King might command what he pleased, his Commissioner and Council would do what they would with it: for before any Return of their Letter, they caused the King's Advocate to exhibit an Indictment against the Earl, upon the Points of *slandering and depraving*: And after the Return of the King's Letter, they ordered a new Indictment against the Earl, containing, besides the former Points, the Crimes of *Treason and Perjury*, before they acquainted the King with it.

The Earl thus mew'd up, that he might not give any Offence, twice petitions the Duke and Council, that Sir George Lockhart might be his Advocate to plead his Defence, yet both times refused; the Reason of these Petitions were, that without Leave none would dare to plead the Earl's Cause, for fear of the King's Displeasure: However, by the Act, 11 Jac. 6. Cap. 90. *It is the undeniable Privilege of all Subjects accused for any Crimes, to provide themselves Advocates, to defend their Lives, Honours, and Lands, against whatsoever Accusation*: So by the 11 Jac. 6. c. 90. it is declared, *That in case Advocates refuse, the Judges may compel them.* Hereupon the Earl drew up a Letter of Attorney, constituting *Alexan-*

der Dunbar to require Sir George Lockhart to plead for him, which the Duke no sooner heard, but said, *If Sir George Lockhart plead for the Earl, he shall never plead for my Brother nor me.*

But the Earl might set his Heart at rest, for whatever Counsel he had, his Case was fore-judged, before heard: However, for forms sake, upon the Twelfth of December 1681, the Earl was brought by a Guard of Soldiers before the Justice Court, where the Earl of Queensberry was Chief Justice General, and the Lords Narin, Collingtoun, Newtown, and Hirkhouse, Lords Justiciary sitting in Judgment. It is inconsistent with the Design of this Treatise to set down the Earl's Speech at large, and the long and learned Pleadings of Sir George Lockhart, and Sir John Dalrymple, for the Earl's Defence, and the King's Advocates pleading against the Earl, and their Doubling's and Tripling's; yet it's fit to say something of them, and leave the Reader at Liberty to read them at large in the Earl's Case, which is printed.

The Earl in his Defence only claims the Privilege of the meanest Subject, tho under an ill Character, to explain his own Words in the most benign Sense, and how strange and impossible it would be to believe he intended any thing but what was futable to the Principles of his Religion and Loyalty, though he did not express himself at all.

Then he enlarged, how from his Youth he had made it his Business to serve his Majesty faithfully, constantly, and to his Power, especially in all times of Difficulty, and never joined or complied with any Interest or Party contrary to his Majesty's Authority, and so, that he never received a Frown from his Majesty these thirty Years; and that even in this Parliament, how he had shewed his Readiness to serve the King and Royal Family in so vigorously asserting the Lineal Succession of the Crown, and in offering Supplies to his Majesty and Successor; and that he had always kept his Tenants in Obedience to his Majesty.

How strange then is it, that Words spoken for the clearing his own Conscience, should be wrested into Treason, especially where the same was done before by many *Orthodox Clergy*, whole Presbyteries, Synods, and some Bishops? so that an eminent Bishop took the Pains to write a Treatise that was read over in Council, and allowed to be printed, and a Copy given to him, which contains all the Expressions he is charged for, and many more may be stretched to a worse Sense; and having wished all Happiness to the King, and a Continuance of the Lineal Succession, left his Defence to his Advocates, Sir George Lockhart and Sir John Dalrymple: then several Letters from General Middleton and the Earl of Glencarn were read, testifying the Earl's Loyalty and Services to the King.

The Treason charged upon the Earl in the Indictment consists of these six Heads.

1. *That the Earl considered the Test, and was desirous to give Obedience to it as far as he could; clearly insinuating thereby he was not able to give full Obedience.*

2. *That he was confident the Parliament never intended contradictory Oaths; thereby to insinuate to the People that the Parliament did impose contradictory Oaths.*

3. *That every Man must explain for himself, and take it in his own Sense; whereby that excellent Law lost its Obligations.*

4. *That he took the Test so far as it was consistent with it self and the Protestant Religion; which depraved the Test, and misrepresented the King's Parliament's Proceedings in the highest Degree.*

5. *That he did not mean, by taking the Test, to bind up himself from wishing and endeavouring any Alteration in a lawful Way which he shall think fit, for advancing the Church and State: where, by his Example, he invited others to be loose from the Test, to make Alterations.*

6. *That he understood this as part of his Oath; which was Treasonable Invasion upon the Royal Legislative Power, as if it were lawful for him to make to himself an Act of Parliament.*

For the better understanding the Earl's Case, it's fit to consider, first, the Test was not to be imposed upon any but those who bear Office; and the Earl was desirous to have laid down all his Offices, which was denied him. Secondly, it was not to be imposed before the first of *January*, whereas all these Proceedings against the Earl upon the Test, were not only unwarrantable, but the Council usurped the Royal Legislative Authority by imposing the Test upon the Earl before. Thirdly, that this Explanation of the Test by the Earl, was by the Duke's Command and Allowance of the Council one Day, and the next Day made Treason for publishing it, the Earl being peremptorily commanded by the Duke to deliver the Explanation he had drawn in Writing to the Council.

1. The Earl's Counsel insisted, that the Earl having before always dutifully and loyally behaved himself to the King, his Words and Intentions ought to be interpreted in the best Sense, and in his Favour.

2. That the Act against Leasing-making, and depraving the King's Laws, were for plain Words and Speeches, tending to make Discords between the King and People, and were never intended against a Person in Judicature, required to give the true Sense of a Law to the best of his Skill and Conscience; and that it would be strange in such a Case, that this should be a Crime, if one Man differ from another; whereas oftentimes not only learned Lawyers, but the Judges themselves differ about the Interpretation of Laws,

3. That

3. That the Act of Parliament does not impose the Test generally, but as a Qualification for those who shall bear publick Office; and therefore it is just and commendable in any Person who has a Scruple of Conscience upon him, to declare his meaning in taking of it how he understands it; it matters not whether he errs or not, for *Conscientia etiam erronea obligat*, especially where a Man's Conscience is opposite to his Interest, as in this Case, to lose his Preferment; nor was this any Reflection by the Earl upon the Act of Parliament, nor their Prudence in imposing the Test.

4. Tho the Earl could not take the Test, otherwise than he explained it; yet by the Act, there was no greater Penalty than that *Habetur pro recusante*, he should not hold his Places of Trust.

5. That the Counsel allowed the Earl's Explanation, by bidding him take his Place, after he had made his Explanation.

6. The Earl's Explanation could not be treasonable, *viz. Animus defamandi*, whenas he only made it to the Council when required, whereas some Bishops, whole Presbyteries and Synods had made Explanations of the Test, and in downright Terms charged it with Inconsistencies and Contradictions, and these allowed to be printed, before the Earl made his; and even the Council themselves had made an Explanation of it, before the Earl was tried, tho the Parliament was then in being, and this made publick. *Q. If this were not more Treason than the Earl's, tho his Counsel durst not say so.*

7. That the Earl by making his Explanation, has assumed a Legislative Power: to which it was answered, The Legislative Power extends to all, but the Earl's Explanation refers only to himself, how he understood he might take the Test; and this was done without any Diminution to the Legislative Power of making or interpreting Laws; and if the Legislative Power be not satisfied, it cannot extend any further than that the Earl shall be a Refuser of the Oath, which is neither Treason nor Perjury, as was charged upon the Earl.

8. That the Earl was ready to give Obedience as far as he could, did not import the Parliament had imposed an unlawful Oath: for there is no Impeachment of the Justice or Prudence of the Law-giver; nor can any Law be so plain, especially affirmative Laws, as this is, that every Man shall understand it alike; and if one Man declare one Sense of it, and another otherwise, how does this become Treason in one or the other, or import the Injustice or Illegality of the Law?

9. That the Earl was confident the Parliament never intended contradictory Oaths; which was so far from being treasonable, that, considering the plain downright Objections spread abroad of the Inconsistencies and Contradictions of the Test, it was a high Vindication of the Parliament.

10. *Therefore he thinks no Body can explain it but for himself;* which having no reference to any other, this cannot be taken for any diminution of the Parliamentary Authority, or depraving of the Law.

11. *That he takes it so far as it is consistent with it self, and the Protestant Religion:* if this be a Crime, the Earl is neither the Beginner nor Promoter of it; so many Bishops, Synods, and Presbyteries having before printed it with Allowance from the Council: nor the Promoter of it; for the Earl said this only for himself, and was passive in it, being required by the Council to make his Explanation, and if they divulged it, 'twas their Fault.

12. *That he did not bind up himself in his Station, and in a lawful way, to wish and endeavour any Alteration, he thinks to the Advantage of the Church or State, not repugnant to the Protestant Religion and his Loyalty.* This has reference to the Earl in his Station, as he is a Peer of Scotland, who has not only a Right in Parliament to debate freely of any Law in being, but is a Member which has a Legislative Right and Vote to repeal as well as make Laws; and herein can no more bind up himself, than one Act of Parliament can bind another Parliament.

Note, the Earl does not say this is part of the Test-Oath, but part of his Oath in the Sense he takes the Test, which makes no alteration of the Test.

The King's Advocate, Sir George Mackenzy, being one of the Conspiracy in contriving the Earl's Destruction, you need not fear but he'll strain his Wit to make good his Indictment of the Earl.

He begins with a long Invektive against the juggling Covenant; and this excellent Law, the Test, was established to prevent the like for the future: and that no Law is of private Interpretation, and if it were, Men would be loose from Obedience to all Law; and concludes with a Lie, that there was no force upon the Earl to take the Oath, that he took it for his own Advantage.

It's true, no private Interpretation of any Law is of force to bind another; and whatsoever Interpretation another makes of any Law, it makes no Alteration in the Law: but if a Man be asked his Opinion of any Law, or Point in Law, and he gives it according to the best of his skill, shall this be taken for Treason and depraving of the Law, and a Man be in danger of his Life for it? This was the Earl's Case, he was called upon by the Duke to take the Test, with his Explanation before he did it; and whereas Mackenzy says there was no Force upon the Earl, I'm sure, if my Author says true, the Earl refused to give in the Paper, whereof he is indicted, and proffered to lay down his Offices upon it, till the Duke peremptorily commanded him to do it: if this were not Force, I would know what is; I'm sure there

was

himself; was no Force, but Corruption and Bribery upon the Advocate, to enter into this villainous Conspiracy against this Noble Earl, to murder him under the Pretext of Justice, which is to be esteemed sacred. And let any Man read his whole Harangue, and see if there be any thing in it but forced and strained Inferences; or any one Proof against the Earl, within the Act 60 *Parl. 6. Mary*, or the 9 *Act. Par. 20. Jac. 6.* which makes it Treason to make false Construction of Laws to others, with a Design to raise Sedition and Diffension among the King's Subjects; so that some Overt Act or Speech to others with a Design to raise Sedition, &c. must be proved; and not what is said in the Council, or any Court of Judicature.

However, as was the Advocate, such were the Assizers, whereof the Marquess of Montross (the Earl's Father's most bitter Enemy) was the Fore-Man, and the rest of the Pack of the same Stamp; who, with one Voice, found the Earl guilty of *Treason, Leasing-making, and Leasing-telling*; but like conscientious Men, having made the Earl to have forfeited his Life, Honour and Estate, by a Majority they find the Earl innocent of Perjury, which they could get nothing by.

So that the Noble Lord Lorn is become the *Forlorn* late Earl of Argyle; yet the Earl, not to be wanting to himself in this deplorable State, next day but one, viz. December the 15th, by a Friend humbly intreated to speak with the Duke: who returned Answer, *It was not ordinary to speak with Criminals, except with Rogues on some Plot, where Discoveries might be expected.* By this you may see what Spirit governed this Prince, and what might be expected from him, if he became King.

The next Day after the Earl's Sentence, viz. December the 14th, the Council gave the King notice of it, and expected his further Pleasure, now the Work is done to his Hand: but it seems his Highness was very impatient till he had the Earl's Blood; for he said, *If the Express from the King came not timously, he would take upon himself what was to be done*; by which you may see what an Ascendency the Duke had over the King: However, the Earl upon the sixteenth, petitioned the Duke, that he might send a Petition to the King, which was refused.

Things brought to this Extremity, and the Earl hearing that some Troops, and a Regiment of Foot were to be brought down from the Castle to the Common Goal, from which Criminals were usually brought to Execution, he resolved to try to make his Escape; and the rather, because about seven at Night, he had notice that new Orders were given for further securing him, and that the Castle Guards were to be doubled, and that none were suffered to go out without shewing their Faces, and therefore a Friend advised him not to attempt it; No, said the Earl, *now is the Time*, and so he attempted it, and it pleased God he escaped. Here-

Hereupon the Lords of Assize, upon the twenty third of December, pronounced the Earl guilty of the Crimes of *Treason, Leasing-making and Leasing-telling*, for which, being detained in the Castle of *Edinburgh*, out of which, since the Verdict, having made his Escape, therefore they adjudged the said Earl to be executed to Death, and his Name, Memory and Honours to be extinct; and his Arms to be riven forth, and delete out of the Book of Arms, *jura* that his Posterity may never have Place, nor be able hereafter to bruck or jaye any Honour, Offices, Titles or Dignities within this Realm in time coming; and to have forefaulted all his Lands and Tenements, &c.

But tho the Earl be escaped out of Prison, whereto shall he flee? For *Terras* (*I'm* sure *Britannicas*) *Assraa* reliquit; he had some thoughts of casting himself at the King's Feet, but those soon vanished, for the same Counsel which governed in Scotland, rag'd all England over; and so privately he pass'd into Holland, where for some time we leave him, and see what's doing in England.

Mr. Hawles in his Remarks upon *Fitz-Harris's* Trial, F. 18. out of Tully's Offices, lays this down for a Rule, *That nothing is profitable but what is honest*; for which Tully gives many Reasons, but nothing so convincing as the Examples he brings in publick and private matters; and tho the Empire was vast, and he bore a great Figure in it, and was very knowing in the Greek and Roman Histories, yet was he not able to bring a hundredth Part of Examples to prove his Position, as had been in this little Island in the space of eight Years: And in his Preface, gives six Reasons for the Disaffection to the late Government, *viz. Exorbitant Fines, cruel and illegal Prosecutions, outrageous Damages, dispensing with the Test and penal Laws, and undue Prosecutions in criminal, but more especially in capital Matters.* But these I take to be the Effects of those Councils which governed in England ever after the King's Restoration, tho they did not so manifestly appear till the Duke was sent into Scotland, and after the Dissolution of the Parliament at Oxford; and for these first six Years after the Dissolution of the Parliament at Oxford, the Tories in England as well as in Scotland, were the Tools which the Popish Faction made use of for carrying on their Designs, then they were laid by, and the Whigs set up, as they thought, to finish the Work.

The Tories were so far from being suppressed by the Proceedings of the Commons against them last *Westminster* Parliament, that they only so much more irritated them against the Whigs after the Dissolutions of the last *Westminster* and *Oxford* Parliaments, and this was what the Popish Party desired.

The King's Declaration, signed *Francis Gwyn*, was not only obeyed by the Tories, but entertained with unexpressible Joy, and celebrated with manifold Returns of Thanks to his Majesty; and now nothing but *Halcyon Days* were expected, and an absolute Dominion over

ver the *Whigs* : and the King, to gratify the *Tories* in their Jollity, and after the Bill for repealing the Act of 35 Eliz. was taken out of the House of Lords before it was passed, which little sorted with the King's Declarations of Indulgence, has this Law now put in Force against the Dissenters, and prosecuted with that Violence, that many thousands of Families were undone by it, yet little of the Money levied upon them was brought into the *Exchequer*, and you may be sure the Prosecutors would take their own share, and it was no difficult Matter to get a Grant, or at least a Pardon for the King's. Among the rest of the Worthies in this pious Business, one *Jenner* a Lawyer was one, who for this and other meritorious Acts, was after knighted and made one of the honourable Barons of the *Exchequer* ; and Sir *Dudly North*, the Keeper's own Brother, was another : and though these Men were excepted out of the Act of Indemnity made by this King, and Informations against them in the *Exchequer*, and among the rest, against this *Jenner*, yet upon pleading their Pardons, I do find no great matter came of them. And now since the Meal-Tub Plot, and that of *Fitz-Harris* had no better Effect, the Court sets up another to throw the Popish Plot upon the *Nonconformists*.

You have heard before how there appeared to be a Popish Plot carried on in *Ireland*, ever since the Year 1665, for establishing the Popish Religion, and that several Witnesses were brought out of *Ireland* to prove it, and how that the Lords in Parliament having thoroughly enquired into it, did upon the sixth of *January* last, viz. 1680, send this Message to the Commons,

Resolved by the Lords Spiritual and Temporal in Parliament assembled, that they do declare that they are fully satisfied that there now is, and for divers Years last past, hath been an horrid and treasonable Plot, continued and carried on by those of the Popish Religion in Ireland, for massacring the English, and subverting the Protestant Religion, and the antient Government of that Kingdom, to which they desire the Concurrence of this House, to which the Commons agreed.

The Evidence by which the Lords discovered this Plot, were generally *Irish*, and of the Popish Religion, and it's probable, were Partakers of the Design of this Massacre, and had not their Pardons ; or if they had, they were poor, and had no means to subsist, now the *Oxford Parliament* was dissolved and no Prospect of another, especially having now lost their Friends and Dependance for having given their Evidence of the Discovery of the Plot, and were in a strange Country. In this state the Court employed a sort of Men, partly by Terror, and partly by their Necessities, to work upon the *Irish*, to pervert their Evidence another way.

And the Cause being the same, it had the same Effect upon others as well as the *Irish* : for the *Oxford Parliament* being dissolved, and all Hopes of Enquiry further into the Popish Plot, growing

ing desperate; *Dugdale, Turbervile and Smith*, not having (that I can find) gotten their Pardons, and having lost their Dependances upon their having given their Evidence, and being reduced to the same Necessities the *Irish Witnesses* were, were easily wrought upon to smother the Popish Plot, and to swear another upon the principal Inquirers into the Popish; nay, even my Lord *H*— (tho not in the like Circumstances) could not procure his Pardon till his Drudgery of Swearing was over.

The Foundation thus laid, now we proceed to shew how the King made good his Declaration for calling frequent Parliaments, and in using his utmost Endeavours of extirpating Papacy; and it is without any Precedent, that ever any King before did truckle to such vile and mean things, to invert his Declaration, and his manifold repeated Promises to the Parliament.

The 28th of March the Parliament at *Oxford* was dissolved, and upon the 27th of April following, an Indictment of High Treason was preferred against *Edward Fitz-Harris* to the Grand Jury at *Westminster* for the Hundred of *Oswalst*; but the Grand Jury having the Vote of the Commons of the 27th of March so fresh in their Memories, desired the Opinion of the Court, whether they might safely proceed upon it: and you need not doubt but the Court gave their Opinion they might. So the Grand Jury found the Bill.

From the time that *Fitz-Harris* was removed from *Newgate* to the *Tower*, which was 10 Weeks before this Indictment, he was kept so close Prisoner, that his Wife, nor any others, were permitted to come at him; whereas the Lords impeached in Parliament had the Liberty of the *Tower*, and for any Man to visit them.

Yet *Fitz-Harris's* Wife, foreseeing the Design of the Trial of her Husband, had gone to Counsel, and had a Plea drawn to the Jurisdiction of the Court; to which the Attorney-General demurred, and *Fitz-Harris's* Counsel joined in the Demurrer.

It were Vanity and extream Arrogance in me, to judg of the nice Pleadings on both sides, concerning the Form and Substance; or to give a Reason why the Court over-ruled *Fitz-Harris's* Plea, since the Court did not.

Yet, I say, the Reports of *Coke, Dier, Plowden*, and others, would have proved dry Business, if the Courts of *Westminster-Hall* had given such Judgments as the *King's Bench* did in *Fitz-Harris's* Case.

And I say also, That no Man lives out of Society and Commerce; and that in every Country there are Laws for the Preservation of Mens Lives, and to protect them in Society and Commerce; and that in every Country there is a Power which is loose from these Laws, and gives Laws to all the Subjects of those Countries.

But because all Laws are vain unless they be executed, every Country has Judicatories wherein these Laws are executed, which differ

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differ in different Countries. The supreme Power of this Nation resides in a Parliament, whereof the King is the Head; and the Lords Spiritual and Temporal, and the Representatives of the Commons, are the Body.

These Courts of Judicature have their distinct Jurisdictions, and are restrained to certain Rules and Methods: the highest of these Courts are the Body of the Parliament, *viz.* the Lords Spiritual and Temporal, and the Commons, which have distinct Jurisdictions, but are not bound up in their Judicatories by such strict Rules as other Courts are.

Other Courts take Cognizance of civil and criminal Cases between particular Men; but these Courts of Parliament take Cognizance of the State and Grievances of the Nation, where only they find Relief: and tho no other Courts take Cognizance of Matters transacted in Parliament, yet either of these Courts take Cognizance of all Proceedings in other Courts, and not only reverse all illegal Proceedings in them, but punish the Judges of all other Courts for any Errors or Abuses committed by them: so if any Person or Persons shall grow so great as to be dangerous to the Publick, tho they be out of the Reach of other Courts, yet they are subject to these Courts of Parliament; and by these Courts the *English* Nation have preserved their Liberties and Laws, now *France* and *Spain* have lost them, which before had their Assemblies of the States (all one with our Parliaments) and in losing them have lost their Liberty and Laws, to the Arbitrary Will of their Princes.

The Jurisdiction of Parliaments hath been in all Ages in *England* esteemed sacred, so that other Courts rarely presumed to take Cognizance of Cases which were in the Jurisdiction of, or depending in Parliament; for this was to depose the Parliament, and usurp their Jurisdiction: nor do we read that ever any other Court assumed this Authority, but in the Reigns of Kings affecting Tyranny and Arbitrary Power.

The first Judges which (I think) gave their Opinion, That the Courts in *Westminster Hall* might take Cognizance of Causes determinable in Parliament, were *Tresilian* and *Belknap*, in 11 *Rich. II.* for which they were impeached by the Commons in Parliament, of no less than High Treason; and for which, by Judgment of the Lords in Parliament, *Tresilian* was hanged, and *Belknap* banished. Mr. *Williams*, in his Pleadings for *Fitz-Harris*, cites another Case in 20 *Rich. II.* of a Person who exhibited a Petition in Parliament, which suggested something which amounted to High Treason (which it may be was determinable by Common Law.) This Person was after indicted at Common Law, found guilty, and pardoned; but because the Business was depending in Parliament, the Prosecution and Judgment were made void in Parliament.

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The next Case, I think, (but of an higher Nature, for *Trefilian* and *Belknap* only gave their Opinion) was that of Sir *John Elliot*, my Lord *Hollis*, &c. 5 *Car. I.* when an Information was exhibited against them in the *King's Bench*, they pleaded to the Jurisdiction of the Court, being for Matters transacted in Parliament: the Court over-ruled their Plea, and gave Judgment against them, and Reasons (such as they were) for their Judgment: but in the 19 *Car. I.* upon a solemn Debate in the Commons House, and upon their Reasons given at a Conference with the Lords, the Judgment of the *King's Bench*, Reasons and all, were reversed by a Writ of Error in the Lords House; and after, the Judges who gave the Judgment were impeach'd of High-Treason by the Commons, for endeavouring to subvert the fundamental Laws and Constitutions of the Kingdom.

This Case of *Fitz-Harris* I take to be the fourth of this kind, yet shall open a Gap for a fifth: but that this Case may be better understood, it will be necessary to distinguish between an Indictment or Information, and an Indictment by the Commons in Parliament.

An Indictment or Information is at the Suit of the King, and the Judges and Jury are tied up to some single Issue; as in this Case of *Fitz-Harris*, the Trial was, whether he was guilty or not of the Treason whereof he was indicted.

But an Impeachment of the Commons is at their Suit, and of all the Commons of *England*; nor are they tied up to one single Issue, but impeach for Treason, and other Crimes and Misdemeanours in the same Impeachment; they assume to themselves, That all the Commons in *England* have a Right in the King, and all the Laws and Constitutions of the Nation, and therefore can impeach where none of the Courts of *Westminster-hall* can take any Cognizance at the Suit of the King, either by Indictment or Information.

After *Fitz-Harris* was committed to *Newgate*, he was examined by the Earls of *Essex* and *Shaftsbury*, Sir *Robert Clayton*, and Sheriff *Cornish*, who found in him a Disposition to discover the bottom of the Popish Plot, and also to make a further Discovery of the Murder of Sir *Edmundbury Godfrey*; but the next Day *Fitz-Harris* was carried to the *Tower*, and kept close Prisoner, and out of their Power, to whom *Fitz-Harris* promised to make a Discovery.

The Commons conceiving themselves and all the Commons of *England* concerned in this Plot (wherein the *French Ambassador*, his Confessor, my Lord *H—*, the Dutchess of *Portsmouth*, and her Woman *Wall*, and even the King himself, for *Fitz-Harris* had several times acquainted the King with it, and the King gave him Money, and countenanced it, were Agents) impeached *Fitz-Harris*, thereby to enquire into the Bottom of this Business, which

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which no Court in *Westminster-Hall* could do; and this I take to be the Reason of the Commons Vote of the 27th of *March 1681*, That if any inferior Courts shall proceed upon *Fitz-Harris*, and he be found Guilty, the House will declare them guilty of Murder, and Betrayers of the Rights of the Commons of England: And so it fell out, that *Fitz-Harris* being indicted upon the single Issue of contriving and publishing the Libel, was convicted and executed upon it, tho he desired to proceed upon the Discovery of this Plot to the Earls of *Essex*, *Shaftsbury*, and to Sir *Robert Clayton*, and to make an End of his Evidence against my Lord *H—*, which was denied. So that whether *Fitz-Harris* was murder'd in his Person or not, it's no Question but his Evidence for further Discovery of this and the Popish Plot was murder'd by this Trial.

I will make these Remarks more upon this Trial, that in the Case of *Tresilian* and *Belknap*, the Nation was in no other Danger than the Courts of *Westminster-Hall*'s invading the Jurisdiction of Parliament; and the Case of my Lord *Hollis*, Sir *John Elliot*, Mr. *Selden*, &c. was only for Misdemeanour; whereas the King's Person, and the Safety of the Nation, were concerned in the Discovery which *Fitz-Harris* might have made, (see Mr. *Hawles*'s fine Remarks upon the Practices and Illegalities of the Judgment of the Court not warranted by the Common or any Statute Law) and that the Consequences of this Trial were manifoldly more mischievous to the Nation than if *Fitz-Harris*'s Design had taken Effect.

The Fright of *Fitz-Harris*'s Discovery of this new Popish Plot being seemingly allayed by his Death, Revenge, with winged Haste pursues the Discoverers of the old. It was in *Trinity-Term* that *Fitz-Harris* was tried and executed; and after this Term, an Indictment of High Treason was exhibited to the Grand Jury of *London* against *Stephen Colledge*, a mean Fellow, but a great Talker against the Popish Plot, who was more known by the Name of Protestant Joiner than *Stephen Colledge*. The Fore-man was one *Wilmer*: This Indictment would not down, but the Grand Jury returned an *Ignoramus* upon it, for which *Wilmer* was forced to fly his Country.

The Design not succeeding in *London*, the Scene against *Colledge* is laid at *Oxford*; the Judges were Chief Justice *North*, Justice *Jones*, Justice *Raimond*, and Justice *Levins*: To make sure of a Bill to be found there against *Colledge*, the King's Counsel had prepared Witnesses at the Assizes to post thither; and there, to make sure Work, the King's Counsel are privately shut up with the Jury till they had found the Bill, which Mr. *Hawles* says was a most unjustifiable and unsufferable Practice.

Whilst these things were contriving, *Colledge* had the Honour, as well as *Fitz-Harris*, to be committed and continued a close Pri-

Prisoner in the *Tower*, yet the Lords impeached in Parliament had the Liberty of it, and free Access was permitted to them: it's true indeed, *Colledge* was permitted to have a Solicitor and Counsel, which was Mr. *West*, I think a Plotter or Setter in the *Aye-Plot*, as dark as *Fitz-Harris's*, and as like it as two Apples are one to the other.

But this was not out of Favour to *Colledge*, but to betray him; for when the Bill against *Colledge* was found at *Oxford*, *Murrel* a Goaler, and *Seywel* a Messenger were sent to bring *Colledge* to Trial; who, after they had taken him out of Prison, run him into a House, and by Order of the King's Counsel, took from him all his Instructions for his Defence, and carry'd them to the King's Counsel, as well to disable him to make his Defence, as to enable the King's Counsel how to proceed against him by some way he was not provided to make his Defence.

Upon *Colledge's* Arraignment, he demanded his Papers taken from him by *Murrel* and *Seywel*, which were denied by the Court till he had pleaded guilty or not to his Indictment. Here take notice, that Sir *Francis Pemberton*, Sir *Thomas Jones*, and Justice *Raimond*, having done the Court's Job in *Fitz-Harris's* Trial, a new Set of four is made to do this of *Colledge's*; the chief of these was Sir *Francis North* (a Man cut out to all Intents and Purposes for such a Work, and as if born to do it, his Father was a Committee-Man in all the late Times against King *Charles I.* and his Grandfather one of the seven who condemned Arch-bishop *Land*) it's no matter who were the other three, for *North* was the Mouth of the Court.

This was the first time that ever any Prisoner had his Instructions taken from him to make his Defence, and at a time when there were such Contrivances to take away his Life. My Lord Chief Justice told *Colledge*, he took not away his Papers; but *Colledge* replied, they were taken from him upon pretence of bringing them to his Lordship.

The Court and Counsel had a twofold Design upon *Colledge* in seizing his Papers; one, to trapan *Colledge* to plead guilty or not before they deliver'd the Papers; which having done, it was too late to plead either to the Jurisdiction of the Court, or that the Indictment was erroneous, as it was, it being of different Natures, as, for Treason and Misdemeanours.

Here I leave it to the Learned to judg whether the Court and King's Counsel did not in this Indictment endeavour to depose the Parliamentary Authority, and usurp it themselves; for tho' the Commons may impeach generally for Treason and Misdemeanours in the same Impeachment, yet neither by the Common, or any Statute Law, any such Indictment can be.

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The other Design was to disable *Colledge* to make his Defence after his pleading not guilty : *Colledge* finding himself thus beset by a mean Man, yet with a Roman Courage said, *This was a horrid Conspiracy, not only against his Life, but against all the Protestants of England* : And herein he proved a true Prophet.

The Courage of the Man put the Court and King's Counsel to the Whisper, which was never before done in any Court of Common Law; and now the Court must be adjourned, the Pretence being for Dinner, tho they had breakfasted but a little before : and before their Return, the King's Counsel altered their Method of proceeding against the Prisoner from that they before designed ; and so sorted their Evidence that they might not contradict one another, and so would not examine some of his Evidence.

Yet upon the Return of the Court, the Attorney, Sir R. S. for fear his Instructions might not well be remembered or understood, moved, the King's Evidence might be examined in the hearing of one another ; which tho over-ruled, yet 'twas not observed : and to satisfy the Jury, the Court (Sir F. N.) told them in summing up the Evidence, they would inform the Jury what part of it was Treason, and what Misdemeanor, which they did not. Mr. *Hawles's* learned Remarks herein, as well upon Law and Practice, are worthy the Consideration of the Parliament.

The Court and Counsel thus armed *Cap-a-Pe*, and the Prisoner bound Hand and Foot, you need not doubt of a glorious Victory over him : And now let's see by what valiant Combatants they achiev'd it.

The first Champion against *Colledge*, but whether to prove Treason or Misdemeanour is not yet determined, was *Stephen Dugdale*, That in a Barber's Shop and a Coffee-house he had spoken vilifying Words of the King ; that *Colledge* had shew'd him several scandalous Libels and Pictures, of which he was the Author ; that *Colledge* had a silk Armour, a Brace of Horse-Pistols, a Pocket-Pistol, and a Sword ; that he had several stout Men would stand by him, that he would make use of them in Defence of the Protestant Religion, and that the King's Party were but a handful to his.

To pass over the Improbability of *Colledge's* designing Treason against the King, and trust the Management of it to Papists, and none of them ever discovered the thing they swore, till after the Parliament at *Oxford*, tho most, if not all, were pretended to be transacted or done before ; let's see what Credit could be reasonably given to any of the Evidence against him.

1. *Dugdale's* Evidence was confronted by Dr. *Oates*, who testified that *Dugdale* said, *He knew nothing against any Protestant in England* ; and being taxed by *Oates*, that he had gone against his Conscience in the Evidence he gave to the Grand Jury at *London* against *Colledge*, *Dugdale* said, *It was long of Colonel Warcup*

(a worthy Person, who, for this and such like Services, is since Knighted) for he could get no Money else. Elizabeth Hunt testified, That after Colledge was in Prison, Dugdale told her, He did not believe Colledge had any more hand in conspiring against the King, than the Child unborn; and that he had as live have given an 100 l. he had never spoken what he had; and that he had nothing to say against Colledge which would touch his Life: and Yates testified, that when he said Colledge was an honest Man, and stood up for the King and Government; Dugdale answer'd, I believe he does, and I know nothing to the contrary.

Haynes swore Colledge said, Unless the King would let the Parliament sit at Oxford, they would seize him, and bring him to the Block; and that he said, The City had fifteen hundred Barrels of Powder, and ten thousand Men ready at an hour's warning.

2. To confront this Evidence, Hickman testified that Haynes swore, God damn him he cared not what he swore; for it was his Trade to get Money by Swearing. Mrs. Hall said she heard Haynes own, That he was employed to put a Plot upon the Dissenting Protestants. And Mrs. Richards said, She heard him say the same thing. Whaley said, Haynes stole a Silver Tankard from him: And Lun said, Haynes said, The Parliament were a Company of Rogues for not giving the King Money; but he would help the King to Money enough out of the Fanaticks Estates. Everard testified that Haynes said, His Necessity and hard Pay drove him to say any thing against the Protestants. Turberville swore, Colledge said at Oxford, That he wished the King would begin; if he did not, they would begin with him, and seize him; and that he (Colledge) came to Oxford for that purpose.

3. Oates said, Turberville said, a little before the Witnesses were sworn at the Old-Baily, That he was not a Witness against Colledge, nor could give any Evidence against him; and that after he came to Oxford, he had been sworn before the Grand Jury against Colledge; and that the Protestant Citizens had deserted him, and God damn him he would not starve.

John Smith swore, Colledge's speaking scandalous Words against the King, and of his having Armour, which he shewed Smith, and said, These are the things that will destroy the pitiful Guards of Rowley; and that he expected the King would seize some of the Members of Parliament at Oxford, which if done, he would be one should seize the King: that Fitz-Gerald had made his Nose bleed, but before long he hoped to see a great deal more Blood shed for the Cause: that if any, nay Rowley himself, came to disarm the City, he would be the Death of him.

4. To confront this Evidence, Blake testified that Smith said, Haynes's Discovery was a Sham-Plot, a Meal-Tub-Plot. Bolron said, Smith would have had him swear against Sir John Brooke, my Lord Shaftsbury, and Colledge, things of which he knew nothing, and

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and told him what he (*Bolton*) should swear, lest they should disagree in their Evidence. *Oates* testified, *Smith* said, God damn him, he would have *Colledge's Blood*: and *Mowbray* testified that *Smith* tempted him to be a Witness against *Colledge* and Sir *John Brooke*, and said, if the Parliament did not give the King Money, and stood on the Bill of Exclusion, that was Pretence enough to swear a Design to secure the King at *Oxford*: And *Everard* and others testified, *Smith* said he knew of no Presbyterian or Protestant Plot; and said, Justice *Warcup* would have perswaded him to swear against some Lords a Presbyterian Plot, but he knew of none.

These were the material Evidences thus confronted, which should prove *Colledge's* Treason and Misdemeanour for taking away his Life: But this Evidence was so baffled, that for Shame the King's Counsel never play'd them after against any other but my Lord of *Shaftsbury*, but were forced to set up for new against my Lord *Russel*, Colonel *Sidney*, &c.

Objection. *In criminal Cases, especially of Treason, if Evidence did not arise from the Conspirators, who are supposed to be ill Men, scarce any other means can be found for preventing or punishing these; and that Dangerfield was of an ill Fame, and Dugdale, Smith, and Turberville, were Witnesses in Discovery of the Popish Plot, and so their Evidence is to be credited as well in this as in the Popish Plot.*

Answer. Nor would the Popish Plot have been believed, if it had no Foundation but the Credit of the Witnesses; but *Coleman's* Letters, Sir *Edmundbury Godfrey's* Murder, and *Harcourt's* Letters of it that Night to *Evers* my Lord *Aston's* Confessor, &c. gave more than sufficient Evidence of the Popish Plot: beside, the Evidence in the Popish Plot did arise from the Evidence of their own Accord, not hired and sought to give it, as in this. And can any Man believe that *Colledge*, so zealous a Protestant, should design the Destruction of the King, and contrive it by Papists, to whom he was so averse? And it were Madness to think *Colledge* could do this alone; for none of all the Evidence swear any other to be concerned with him in it.

There were other Evidence against *Colledge*, viz. Mr. *Masters*, Sir *William Jennings*, about Words which *Colledge* should speak; and *Atterbury*, *Seywel*, and *Stevens*, concerning finding Pictures in *Colledge's* Possession when they seized him: but, as Mr. *Hawles* observes, these, by no Law in *England*, could be made Treason, admitting all they said to be true: But tho at *Colledge* this Scene began, and he was executed as a Traitor, it did not end in him, as he prophesied.

For Colledge's Blood was too mean a Sacrifice to appease the offended Ghosts of the martyred Roman Saints, and was but an Inlet to spill nobler Blood; therefore upon the 31st of August he was executed, and upon the 24th of November following, 1681. the Earl of Shaftsbury had a Bill of High Treason at the Sessions of the Old-Baily, London, preferred against him.

I will not here curtail any of the Remarks which Mr. Hawles has made upon this Bill, or the Trial of my Lord Russel, Colonel Sidney's, Mr. Cornish's and Wilmer's Trials, but leave them entire to the Reader; it's enough for me to shew how well the King, by these Trials, made good his Declaration of preserving the Protestant Religion, and his utmost Endeavour to extirpate Popery: yet I shall make some Remarks upon my Lord Shaftsbury's Case which Mr. Hawles either has not, or not so fully.

Upon the 20th of April 1679, the King, after he had sent the Duke into Holland, dissolved his old Privy Council, and chose a new one, whereof the Earl of Shaftsbury was President; and in Parliament declared the ill Effects he had found of single Councils and Cabals, and therefore had made Choice of this Council, which next to the Advice of his great Council of Parliament (which he would often consult in all his weighty and important Affairs) he would be advised by this Privy Council: and to take away all Jealousy that he was influenced by Popish Councils, he had sent his Brother beyond Sea.

But now, *quanto mutatus!* No more Parliaments so long as this King lives. The Council, whose Advice, next the Parliament, he would take, is now dissolved, and the President's Life is sought for; the Duke of late sent away, that he might not influence the King's Councils, is now returned, and governs all, and made High Commissioner of Scotland, where, at this time, he is contriving the Destruction of the noble Earl of Argile, whilst his Brother is doing that of my Lord of Shaftsbury, and both act their Parts under the Vail of sacred Justice.

But how to bring the Earl of Shaftsbury upon the Stage, was Matter of great Inquiry; other Evidence besides *Irish*, and those Colledge had so baffled, could scarce be found; and this Evidence, 'twas feared, would no more prevail upon a London Grand Jury, than before it did when the Bill was preferred against Colledge.

Captain Henry Wilkinson was a *Yorkshire* Gentleman, who having served King Charles I. in his Wars, and been very instrumental in the Restoration of King Charles II. being fall'n into Decay (a Fate usually attending the Cavaliers who served either of those Kings) was for his Sufferings, Integrity, and Honesty, preferred by the Earls of Craven and Shaftsbury to be Governour of Carolina, and one of his Sons to be Surveyor-General of it, and another a Register.

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Captain *Wilkinson* made use of the little Stock he had left, and such Credit as he could procure, to fit himself upon this Account, and hired a Ship called the *Abigail*, of a hundred and thirty Tuns, and victualled her for the Master and ten Men, and such other Passengers as he should take in.

In this Number, one Mr. *John Booth* desired that he and his Family might accompany the Captain to *Carolina*, which was agreed to; but the Captain being under several Disappointments, and the charges of the Ship of four Months lying in the River, insupportable, the Captain was arrested and thrown into the *Compter*; from whence he removed himself to the *King's Bench*. The Captain's Necessities were equal, or more than those of the *Irish Evidence*, but the Captain (at least as he supposed) had no need of a Pardon for any thing designed against the King or Government, as the *Irish Evidence* had; so the first Attempt upon the Captain was to hire him to give Evidence against my Lord of *Shaftsbury*.

If *Empson* and *Dudly* were so zealous to fill *Henry* the 7th's Coffers, by straining the Penal Laws to utmost Rigour, as the *Vogue* went, *Graham*, *Baynes* and *Burton*, were as zealous to pack Juries, and procure Evidence for carrying on this black Design; but I do not find *Burton* was in this upon Captain *Wilkinson*.

Upon the eighth of *October*, *Baynes* made his first Attack upon the Captain, and told him, that he had been lately with Mr. *Graham*, who had a great Interest with my Lord *H.* and that the Captain could not but know much of my Lord *Shaftsbury's* Designs, and that he had now a desired Opportunity to discover them; and urged the Captain not to deny the proffer, and that he need not fear his getting a Pardon: but the Captain was constant that he knew nothing of any such Design. By this time *Booth* was a Prisoner in the *King's Bench*, as well as the Captain; and upon the eleventh, *Booth* attack'd the Captain, and told him he might have 500 *l.* per annum, or 10000 *l.* if he would discover what he knew of my Lord *Shaftsbury's* Design against the King, and that the Captain should appear at Court, and have Assurance of it from Persons of Honour; but this wrought not upon the Captain neither. Upon the thirteenth *Baynes*, *Booth* and *Graham* renewed the Promises *Baynes* and *Booth* had made, and that he should have the King's Promise for the same, and his Royal Word for a Reward for his Sufferings; and that *Graham* was sent by some of the Council to bring the Captain to the King, and that he had an Order for it: but all would not do; for the Captain was resolved not to go to *White-Hall* if he could help it. Upon the fourteenth *Booth* told the Captain, that Mr. *Wilson*, my *Shaftsbury's* Secretary (who was a Prisoner in the *Gate-house*) had sent to the Council, that he would come and discover all he knew; and therefore he urged the Captain to have the Honour of being the first Discoverer, and that

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Captain *Wilkinson* made use of the little Stock he had left, and such Credit as he could procure, to fit himself upon this Account, and hired a Ship called the *Abigail*, of a hundred and thirty Tuns, and victualled her for the Master and ten Men, and such other Passengers as he should take in.

In this Number, one Mr. *John Booth* desired that he and his Family might accompany the Captain to *Carolina*, which was agreed to; but the Captain being under several Disappointments, and the charges of the Ship of four Months lying in the River, insupportable, the Captain was arrested and thrown into the *Compter*; from whence he removed himself to the *King's Bench*. The Captain's Necessities were equal, or more than those of the *Irish Evidence*, but the Captain (at least as he supposed) had no need of a Pardon for any thing designed against the King or Government, as the *Irish Evidence* had; so the first Attempt upon the Captain was to hire him to give Evidence against my Lord of *Shaftsbury*.

If *Empson* and *Dudly* were so zealous to fill *Henry* the 7th's Coffers, by straining the Penal Laws to utmost Rigour, as the *Vogue* went, *Graham*, *Baynes* and *Burton*, were as zealous to pack Juries, and procure Evidence for carrying on this black Design; but I do not find *Burton* was in this upon Captain *Wilkinson*.

Upon the eighth of *October*, *Baynes* made his first Attack upon the Captain, and told him, that he had been lately with Mr. *Graham*, who had a great Interest with my Lord *H.* and that the Captain could not but know much of my Lord *Shaftsbury*'s Designs, and that he had now a desired Opportunity to discover them; and urged the Captain not to deny the proffer, and that he need not fear his getting a Pardon: but the Captain was constant that he knew nothing of any such Design. By this time *Booth* was a Prisoner in the *King's Bench*, as well as the Captain; and upon the eleventh, *Booth* attack'd the Captain, and told him he might have 500 *l. per annum*, or 10000 *l.* if he would discover what he knew of my Lord *Shaftsbury*'s Design against the King, and that the Captain should appear at Court, and have Assurance of it from Persons of Honour; but this wrought not upon the Captain neither. Upon the thirteenth *Baynes*, *Booth* and *Graham* renewed the Promises *Baynes* and *Booth* had made, and that he should have the King's Promise for the same, and his Royal Word for a Reward for his Sufferings; and that *Graham* was sent by some of the Council to bring the Captain to the King, and that he had an Order for it: but all would not do; for the Captain was resolved not to go to *White-Hall* if he could help it. Upon the fourteenth *Booth* told the Captain, that Mr. *Wilson*, my *Shaftsbury*'s Secretary (who was a Prisoner in the *Gate-house*) had sent to the Council, that he would come and discover all he knew; and therefore he urged the Captain to have the Honour of being the first Discoverer, and that

to the former Promises the Captain should have 500 l. per Annum settled on him in Ireland by the D. of York: but all to no purpose.

Upon the fifteenth, *Booth* and *Baynes* attackt the Captain again: the Captain asked *Baynes* why he was so urgent for his Testimony; *Baynes* answered, That as yet they had none but *Irish Evidence*, which would not be believed, but if the Captain came to it, he was not blemished in his Credit; and then *Baynes* told him, if he would not go, he (*Baynes*) had a *Habeas Corpus* from my Lord Chief Justice *Pemberton*, to carry him to *White-Hall*.

In the Afternoon the Captain was carried by his *Habeas Corpus* to *Whitehall*, and examined in the Secretary's Office by my Lord *Comway*, and Secretary *Jenkins*; and in his Examination, in comes the King into the Office, as before he had done into the Dutcheſs of *Portsmouth's* Chamber, when my Lord *H*—— came to kiss her Hand, and there the King told the Captain he had served his Father and him faithfully, and hoped he (the Captain) would not now decline his Obedience; to which the Captain answered, he never deserved to be suspected: then the King told him he had not the Opportunity to serve his Friends, but hoped he might: then the King examined him what he knew of my Lord *Shaftsbury's* having a Design against his Person; but the Captain upon his Oath denied he knew any thing, so the King left him to the further Examination of Secretary *Jenkins*.

But this Business did not stay here; for the Captain was carried into another Room, where were present the King, my Lord Chancellor, the Lord Chief Justice *Pemberton*, and several other of the Nobility, with *Graham*, *Baynes* and *Booth*; where my Lord Chancellor was very sharp upon the Captain, and put several Questions to the Captain, which he could not answer, and told the Captain, there were two sorts of Advancements, and that the Captain was like to come to his Trial before the Lord *Shaftsbury*.

The Business was, *Booth* had sworn that the Captain had a Commission from my Lord *Shaftsbury*, for a Troop of fifty Men, to be my Lord's Guards against the King, and that *Booth* was listed in it: This *Booth* had sworn, but was so unfortunate in it, as to swear, this was when the Parliament was at *Oxford*, at which time the Captain was making his Preparations for his intended Government of *Carolina*: but whether the King believed the Captain or *Booth*, is unknown, but it stop'd here, and the Captain was no higher advanced upon *Booth's* Oath, nor could be prevailed upon to be a Witness against my Lord *Shaftsbury*, though his Wife was as much tempted to have it so, as the Captain was; so the Captain's only Advancement was, to be remanded to Prison.

However, it was resolved that my Lord *Shaftsbury* should be prosecuted, and so upon the 24th of November a Bill of High Treason was preferred against him to the great Inquest at the Sessions-
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Howe in the *Old-Baily* : and *Baines* proved a true Prophet, though *Booth* swore to the Captain's Command of Fifty Men, to be a Guard to my Lord ; for the Jury neither believed him nor the Evidence so baffled at *Colledge's* Trial, nor the *Irish* Evidence added to that, and so returned an *Ignoramus* upon it.

Suetonius, in the Life of *Tiberius*, says, he could never have made such Ravages upon the *Roman Empire*, and exercised such Cruelties, if he had not been backt by an Officious and flattering Senate, which carried the Face of Justice in it : and tho it be evident, that for near Eighty Years, these three Kings of the *Scottish* Race had been endeavouring to establish an Arbitrary and Tyrannical Government over this Nation, yet except King *James* the First, who, if his Necessities had not forced him, would have never had a Parliament after the first, and who by his own Authority created so many Monopolies, and Benevolences, and in the Parliament of the 12th and 18th Years of his Reign, without any Colour of Justice, imprisoned so many worthy Gentlemen, without the Benefit of *Habeas Corpus's*, for their Debates in Parliament ; yet these other two pretended to raise their Tyrannies under the Form of Justice, and therefore *Charles* the First after he for Fifteen Years together, had not only exceeded his Father in granting Monopolies, and raising Money by Loans, Benevolences, Coat and Conduct Money, but also in taking the Customs without Grant of Parliament, and such as were never granted by Parliament, and in further raising Ship-Money, and imprisoning the Members of Parliament without Benefit of their *Habeas Corpus's* ; yet he thought best to do it by such Judges as he should make : So this King, in the Executions of *Fitz-Harris* and *Colledge*, would have the Colour of Justice by a Form of Law, for which there was no Law.

But as the Knights of *Malta* could make Knights of their Order for eight Pence a-piece, yet could not make a Soldier or Sea-man : So these Kings, tho they could make what Judges they pleased to do their Business, yet could not make a Grand-Jury, from whom the Judges in all criminal Cases between the King and Subject must take their Measures : these Grand-Juries in *London* are returned by the Sheriffs, and the Sheriffs are chosen by the Livery.

This Difficulty after my Lord *Shaftsbury's* Case, put the Court to their Trumps, and at present a Stop to their Proceedings : The Assistance of the Duke of *York* was necessary, but at this time he was as busy in *Scotland* about my Lord of *Argyle*, as his Brother was in *England* about my Lord *Shaftsbury*.

The City upon the Dissolution of the Four last Parliaments, were aware of the Designs of the Court, and chose Sheriffs accordingly ; when *Colledge's* Bill was preferred, Mr. *Cornish* and *Bethel* were Sheriffs, and now another such was preferred against

Lord of *Shaftsbury*, Sir *Thomas Pilkington* and Mr. *Shute* were Sheriffs; who, tho at other times Sheriffs would rather fine than serve, yet at this time none refused to serve, so that unless Sheriffs of another Stamp were chosen, all would be to no Purpose. It's scarce credible what a Noise the not finding my Lord *Shaftsbury's* Bill made; all Justice, now the *Tory Party* cried, was stopped, if these *Ignoramus Juries* were not set aside: *R. L. S.* proclaimed Forty one would inevitably return; and this countenanced by the Court, flew out of the City, all the Country over, so that scarce any other thing was to be heard but of *Ignoramus Juries*, and what would follow from them.

It was the latter End of *Michaelmas Term*, the great Inquest returned an *Ignoramus* upon the Bill of High Treason preferred against my Lord *Shaftsbury*, and in the Vacation all Wits were set on work how to take the Election of the Sheriffs of *London* out of the Power of the City, and no other Expedient could be found out but by taking away their Charter, which if it could be done, would not only entitle the Court to making of Sheriffs, but open a Gap to their making a House of Commons; for near $\frac{2}{3}$ of the Commons are Burgeses and Barons of the Cinque Ports, who would not dare to contest their Charters, if the City of *London* could not hold theirs. So that in *Hilary Term* following, a *Quo Warranto* was brought against the City for two hainous Crimes, viz. That they had made an Address to the King for the Parliament to sit for Redress of Grievances, and to settle the Nation, (yet King *Charles* the First thought the Parliament's Vote of non-Addresses to him, was a Deposing of him) and that the City had raised Money towards repairing *Cheapside Conduit*, ruined by the Fire of *London*.

The City pleaded their Right, and the King replied, upon which there was a Demurrer, but Judgment was not given upon it till *Trinity Term* 1683. However the Novelty of the thing caused an Amusement upon the Generality of the City and Nation too, whereto this tended. In the mean time the Duke having done his Work in *Scotland*, was returned to *London*, and his Zeal for promoting the *Catholick* Cause, outwent his Patience for the Court's Judgment upon the Demurrer to the *Quo Warranto*; so that Courtiers of the First Magnitude appeared barefaced for the next Election of Sheriffs, and Sir *Dudley North* (Sir *Francis's* own Brother) and Sir *Peter Rich* were returned, one by a shameless Trick, the other by open Force. Tho the Court had gained this Point, they thought not fit to push it further till the Demurrer to the City Charter were determined, in which such Haste was made, that only two Arguments were permitted on either Side, one in *Hilary Term* 1683, and the other in *Easter Term* following, and so Judgment was given in *Trinity Term* next after, against the City.

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The Judgment against the City was as strange as the Election of the Sheriffs, for it was without any Reason, and by two Judges only; one was Sir *Francis Withens* (who had heard but one Argument, and I believe understood but little of that) and who after, in the Absence of Sir *Edward Herbert*, delivered that for his Opinion which Sir *Edward*, when present, disowned; and Sir *Thomas Jones*. However, they said Justice *Raimond* was of their Opinion, and so was *Saunders*, the Chief Justice, tho he was past his Senses, and only had Sense enough to expostulate with them for then troubling him, when he had lost his Memory.

But the Court of *Kings Bench* were not so ripe for this hasty Judgment, as that at *White-Hall* was for Discovery of Plots against the Government and Justice of the Nation; of which they set three on Foot: viz. A Plot to surprize the Guards; the Rye-Plot, to murder the King and Duke as they should come from *New-Market*; and the *Black-Heath* Plot, for the People to rise upon a Football Match: if those Sheriffs would not do the Court's Work, you may be sure the next should, where the King should have the Nomination; but these were as trully as any the King could make, and it was now *Graham* and *Burton's* Work to find Good *Jury-Men*, and then the Sheriffs would be sure to return them.

In all these Plots, for ought I can find, the Fox was the Finder; my Lord *H——* and *Rumsey*, in that of the Guards; *Lee* and *Goodenough* in that of *Black-Heath*; *Keeling* and *West* in that of the Rye-Plot. *Lee* was set to trapan *Rouse* and *Baker* in the *Black-Heath* Plot. *Rumball* (at whose House 'twas said the Rye-Plot was to be acted) upon his Death denied he ever knew of any. But the Great Design was upon my Lord of *Essex*, and my Lord *Russel*, one the most eminent of the Nobility, for his great Honour, and all eminent Vertues; the other of the Commons; and both zealous Protestants, and Opponents to the Design of introducing Popery and Arbitrary Power.

I will not again curtail Mr. *Hawles's* learned Remarks upon my Lord *Russel's* Trial, on the Thirteenth of *July*, 1683. yet I must observe, how that that Day, whether my Lord of *Essex* killed himself, or was to be killed, the King and his Brother were both in the Tower when the Act was done, and immediately Notice was sent to the *Old-Baily*, to give Notice of it to the Court, that in the worst Sense, Use might be made of it by the King's Counsel against my Lord *Russel*.

The Blaze of the Earl's having murdered himself, having had its designed Effect upon my Lord *Russel's* Trial, the next Step was to satisfy the Nation the Earl murdered himself; and to this Purpose the Coroner's Inquest must necessarily sit, and give their Verdict; but so the Business was ordered, that before the Jury was impannelled, the Earl's Body was taken out of the Closet (where

(where 'twas pretended he murdered himself) and stript of his Clothes which were carried away, and the Closet washt; and when one of the Jury insisted upon seeing my Lord's Clothes which he died, the Coroner was sent for into another Room, and upon his Return, told the Jury, it was my Lord's Body, not his Clothes, they were to sit upon: and when it was moved that the Jury should adjourn, and give my Lord's Relations Notice, That if they had any thing to say on my Lord's Behalf; it was answered The King had sent for the Inquisition, and would not rise from the Council-Board till it was brought,

I do not find, that when the like Practices were used, and when the Coroner's Inquest found Sir *Thomas Overbury* died a Natural Death in the *Tower*, that two Years after, when *Reves*, the Apothecary's Servant, made the first Discovery of Sir *Thomas* his being poisoned, that *Reves* was prosecuted for flying in the Face of the Government, and questioning the Justice of the Nation, as *Mr. Speke* and *Mr. Braddon* were for endeavouring to discover the Murder of my Lord of *Essex*. I'm sure their Inducement for the Proofs of it, were manifoldly more than *Reves's* were of Sir *Thomas Overbury's*; and I wish I understood what their Crimes were more than *Reves's*: but that being for the King and Justice of the Nation, they ought to have been encouraged, if there had been no foul dealing in the Earl's Death.

After the Death of these Noble Persons, the rest of the Game was plaid without scarce any Rub: Colonel *Sidney*, *Bateman*, *Walcot*, *Hone* and *Rouffe*, followed for Treason all, and all of different Complexions; and where Treason could have no Colour, actually to take away the Lives of the Opponents of Popery and Arbitrary Power, Misdemeanours are set on foot to take away their Means of living; Fines from 10000 to 100000 *l.* for words against the Duke; though by *Magna Charta*, a *Salvo Contenemento* is reserved for Misdemeanors against the King. *Graham* and *Burton* would find Juries for all, and the Sheriffs would return them to do the Work.

But the Rage and Tyranny against the Opponents of Popery and Arbitrary Power, was not more illegal than the Indulgence to the Lords impeached by Parliament; for the King resolving to have no more Parliaments, upon the present Constitution, made Judges to take Bail for them to appear next Parliament: Hereby as much invading the Rights and Jurisdiction of Parliament, as the Judgments against *Fitz-Harris*, *Colledge*, my Lord *Ruffel*, Colonel *Sidney*, &c. were illegal; which though at Common Law they might have been Treason, yet by the Statute of the 25th of *Edward the Third*, the Judges in *Westminster-Hall* were prohibited to take Cognisance of them, and by the Act of 13 *Car. 2. c. 51.* wherein the Prosecution ought to be within Six Months

after

After the Fact, and the Indictment within three Months after.

Though the City of *London*, and many other Cities in *England*, chose their Sheriffs; yet the Sheriffs of all the other Shires and Counties of *England* were named by the King: so that the King's next care was how to subvert the Constitution of *Parliament*, and like *Oliver Cromwel*, have a House of Commons of his own making: For the House of Commons is compounded of five hundred and thirteen Members, whereof but ninety two are Knights of Shires; so that near $\frac{2}{3}$ are Burgesses, Citizens and Barons of the Cinque Ports: The Generality of the Corporations which send these Members are poor decayed places, and so not able as the City of *London* to contest their Charters, or if they could, they had little hope to keep them, now *London* could not hold theirs. Yet this would cost the Court a great deal of time to bring *Quo Warranto's* against above two hundred Corporations; and now all Hands are set at work to prevail upon these poor Inhabitants, and mighty Rewards are promised to those who should surrender them: but because Money was scarce, Bargains were made with Multitudes of them, to have Grants of Fairs for surrender of their Charters, and those which refused had *Quo Warranto's* brought against them.

To humour the Court, and in perfect hope that in time the Mountains would bring forth, a Multitude of Corporations (or rather some loose vain Men, who assumed the Names of the Corporations) by heaps surrendered their Charters; and at excessive Rates (I cannot say renewed, but) took new ones, whereby the King reserved to himself the Power of disposing of all Places of Profit and Power, which at present was intrusted in their Hands who had betrayed their former Trust: nor did these Men care for the expence of purchasing their new Charter, tho it were to the starving the Poor of their Corporations, who should have been fed with the Monies expended in the Purchase.

But a Multitude of lewd Fellows, who in meaner Corporations, were all as willing to betray their Charters as the Richer, yet had not Money to purchase new ones, and without it nothing could be had, and never was King furnished with such a Lord Keeper (for by this time *North*, who had drawn the King's Declaration against petitioning for a Parliament, and for which he was impeached in Parliament, and had so highly merited in *Colledge's* Trial, was made Lord Keeper) and Attorney General for taking Money with both Hands; though by their Oaths they ought to have, to the best of their Skill, informed the King of the Justice and Lawfulness of all those things which were to pass the Seals: and this put some stop to the hurry of the surrender of Charters.

But in these Corporations there were some Members, who made a Conscience of their Oaths, and betraying their Trusts, and

and according to the Obligation to both, performed their Duties; but these were prosecuted as Rioters and Tumultuous Persons, and fined extravagantly, even to their undoing, and imprisoned till payment, and bound to their good Behaviour.

These things were not carried on with that Security, but some Umbrages of fear there were, that some Disturbances might arise before they could be brought to Perfection: to quell them, if they should happen, *The Duke had secured Scotland, and had 20000 Foot and 2000 Horse, and a Year's Pay, to be assisting upon all Occasions; a greater liberty was given to the Irish than ever; and to crown the Work, Tangier is demolished, and the Garrison which was a Nursery of Popish Officers and Souldiers, is brought over and placed in the most considerable Parts of England.*

Whilst the King is framing this goodly Structure, the French King, against his Faith at the Treaty of *Nimeguen*, by foul and base Treachery, seizes upon *Strasburg* on the *Rhine* (the most considerable City of *Germany*) and by plain Force took *Courtray*, and the City of *Luxemburgh* from the *Spaniard*, notwithstanding the late Treaty of Mutual Assistance between the King and *Spain*, and had encreased his Men of War at Sea to be more and greater than those of the King's; and his *New-found-land* Fishery, to be twenty fold more than it was 1660. and the *English* fallen not to $\frac{1}{2}$ of what it was: yet in this dreadful State, the Feuds of *Whig* and *Tory* no ways abated, and both so stupid as if neither were concerned in this Design common to them both.

But though this most religious and gracious King (for so the *Tories* will have him, to whom all their nonsensical Doctrine of *Passive Obedience* is due) had by the help and indefatigable Industry of the *Tories*, laid this Foundation for the Ruine and Destruction of this Church and State, yet he lived not to compleat this goodly Structure, for he died upon the sixth of *February* 1685. (it may be the sooner, because he made no more haste to do it) in the thirty seventh year of his Reign, computing it from his Father's Death, after he had lived fifty four Years, eight Months and eight days.

The Character of King Charles II.

HIS Person was of a very well composed Structure, tall above the ordinary Stature of other Men not much; much more resembling his Grandfather *Henry IV.* of *France*, by his Mother, than his Father, or his Grandfather King *James*: And as in his Person he more resembled *Henry* than either his Father or Grandfather *James*, so did he in his Humours; for both had lively and pleasant Wits, and would be wondrous facetious and pleasant with those

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those which humour'd them in their Pleasures, and were of free Access; whereas King *Charles* the Father, was grave and severe in his way, hard of Access, and that by such strained Terms of Submission as were never heard of before in *England*, and, I believe, no where else: and King *James* was slovenly in his Behaviour, and more servile to his Favourites than they to him. Like his Grandfather *Henry*, *Charles* gave himself up to all sensual Pleasures, without any Controul; but unlike his Father, who was temperate and chaste: Like his Grandfather *Henry* in Profession of his Religion, for both seemingly professed that which neither believed; Unlike his Father, who while he did what he would, was severely addicted to what he professed: Unlike to his Father and Grandfather *Henry* in Covetousness, but like his Grandfather *James* in profuse Prodigality to his Favourites, but unlike his Father and Grandfather *Henry* in Parsimony, ill becoming to great Kings: Like his Father and Grandfather *James*, in laying the Foundation of the Ruin of the Grandure of *England* abroad, and the Church and State at home; unlike his Grandfather *Henry*, who laid the Foundation of the Grandure of *France*.

Tho *Henry* and *Charles* were esteemed Clement and Merciful Princes, till the Rage of the latter end of *Charles's* Reign, yet both were most vindictive against any who reproached their licentious Liberty in their lustful Pleasures; as appears by *Henry's* putting the Duke of *Biron* to Death (more, as *Sir Walter Raleigh* observes, for the Taunt he gave when *Henry* brought *Madam Gabriel* to the Siege of *Amines*, That she was the Fortune of *France*, than for *Biron's* Conspiracy with the Duke of *Savoy*) and by that of cutting off *Sir John Coventry's* Nose, for the Report which was of *Sir John*, that he asked the Question, Which of the King's Favourites, Men or Women? Unlike to both Father and Grandfather *James*, *Charles* was to his own Cousin-German, the *Elektor-Palatine*, for they both, at least seemingly, endeavoured to have restored the Prince's Father to his Country after he was dispossessed of it by the Emperor and King of *Spain*; whereas after this Prince was restored to a part of it by the Treaty of *Munster*, this King, without any Offence or Provocation given him by the *Elektor*, assisted the *French* to ruin and destroy it.

But he's gone, God knows by what means, and the Possession of the Crown takes away all Attainders: And now he's gone, he left the Nation more viriated and debauched in their Manners than ever it was before by any other King; having not only squander'd away the ancient Revenues of the Crown, which were esteemed sacred, and which should have supported it against foreign Force and intestine Discord, but left such a Debt upon it as never before was heard of, nor contracted by such means, having prostituted the Majesty of his Crown in becoming a Pensioner to *France*, and advancing

vancing that Interest to be as formidable and dangerous to the rest of *Christendom* as to his own Dominions; and embroiled his Subjects in intestine Feuds and Discords, as if thereby he designed them an easy Prey to the *French* and Popish Interest; and having by Bribery and Corruption so vitiated all publick Offices, both Sacred, Civil, and Military, that they became habitual, and so fixed that it would become difficult, if possible, to reform them.

And as this King's Actions were little and dark, so was his Funeral, for never any King, who died posselt, was so obscurely and meanly buried; hurried in the dead of the Night to his Grave, as if his Corps had been to be arrested for Debt, and not so much as the *Blue-Coat-Boys* attending it; his Brother, then King, shewing as little Gratitude to him for all his Favours, as he had done to the Nation for all their Loyalty, and incredible Sums of Money poured upon him: And as his Father and Grandfather had not a Stone to cover their Graves, thereby to preserve their Memories in future Generations; so neither had he, nor any of his Name hereafter is like to have, as King of *England*.

But now he is gone, all the dreadful Presages of the four last Parliaments are come upon the Nation; and nothing left to secure the Nation's Fears, unless that the Crown being so in Debt, and the Excise for the King's Life dying with him, the Parliament would not be so prodigal of their Bounty, as to grant this King's Successor such a Revenue, which might enable him to attain his Ends, by the Ruin of the Church and State of *England*.

The Good Deeds of King Charles II.

1. **H**IS dispensing with the Act of Navigation in the first Dutch War, whereby he was enabled to continue the War against the *Dutch* two Years longer than he did, and the *Dutch* otherwise might have fired the Ships in our Harbours a Year sooner, and forced the King to a more inglorious Peace than that he made in the Year 1667, whilst the Parliament, in the Temper it was in, sat still, and took no notice of these things.

Objection. *If the King has Power to dispense with the Act of Navigation, by the same Reason he may dispense with other Laws; and so the Laws of the Nation will be loose, and subject to the King's Will at his Pleasure.*

Answer I. I wish all Legislators in passing Laws would be of another Temper than when the *Rump* made this Law, which was in spight of the *Dutch*, without any Consideration of the dreadful Consequences it has brought upon the Nation both within and without; or in another Temper than the Parliament was in in the

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twelfth Year of the King, when they passed or confirmed this Law without any consideration of Times, whether in War or Peace.

II. If the Act of Navigation had been in general a good Law, yet Times must be distinguished; and in War, Civil Laws are strict: so that for the Preservation of the Publick, the King may destroy particular Mens Interest, as in case of firing the Suburbs of a City to preserve the City, and destroy the Fruits of the Ground rather than these shall sustain an Enemy to the endangering the whole Nation: but it was much more reasonable for the King to grant Liberty, without any Destruction or Wrong to his Subjects, to dispense with the Act of Navigation, and give all Foreigners Liberty to import Gunpowder and all sorts of Naval Stores, &c. for the Nation's Preservation in the time of War with the Dutch. And, I say, it was Prudence in *Oliver*, tho in time of Peace, to dispense with the Act of Navigation in reference to the Trade to *Norway* and *Sweden*, after the *Norway* Merchants had represented to him, how grievously the *Norwegians*, by this Act imposed upon not only the *English* Subjects, but upon *Oliver* himself, in building and fitting up his Men of War.

2. The second better Act of King *Charles*, was his dispensing with the Law against Foreigners partaking the Benefits of the natural-born Subjects of *England*, by permitting *Brewer* and his *Walloons* (tho Papists) after they fled from the Rage of the *French* Ravages in *Flanders* in 1667, to plant and settle themselves in the *West*; whereby the *English* became instructed how to make and dye fine Woollen Cloths 30 per Cent. cheaper than they could before: and herein the King imitated two of his most glorious Predecessors that ever reigned in *England*, I mean *Edward III.* and *Queen Elizabeth*, Princes who no ways affected Tyranny or Arbitrary Power.

I say the King might justly and legally do this; for tho the King cannot dispense with Laws which have a complicated Interest with himself and Subjects, to the Wrong of his Subjects; yet the King may dispense with those Penalties which properly belong to him, even in criminal Cases, as to the Life and Estate of an Offender, and therefore much more where there is no Offence, and the End for the publick Good: as in this Case of *Brewer*, and all other Foreigners, the Penalty is, if they trade, they shall pay Strangers Duties; but this is to the King; and if he pleases, he may take no other Duties than his natural-born Subjects pay, whereby the Foreign and Fishing Trades which are carried on in *Holland* might not be carried out of *England*, and thereby the Navigation of *England* become double or treble to what it now is, and the ruined and even desolate Coast-Towns of *England* flourish, as *Hamburgh*, *Amsterdam*, *Gottenburgh*, *Diep*, *St. Maloes*, and other Ports. Would not this be not only for the enriching, but strengthening the Nation,

on, and that in a double Proportion? for we should be so much more rich and strong here, as other Nations would be less, and in a worse state to make War upon us. Nay, should we only make our Ports free, as *Leghorn*, *Marseilles*, and as of late the Pope has *Civita Vecchia*, would not the Nation be so much more enriched as the Goods imported are more? I would know from whence else it was that *France* became so enriched above all other Countries (for Mines they have none) but from the vast Trades the *English*, *Dutch*, *Swedes*, and *Danes*, drove in *France*?

And suppose the King should dispense with Foreigners purchasing Lands in *England*, and not take them, as he may do if he pleases, whereby Millions of Money would be brought into *England*, the Lands we shall have still; and would not the Nation be so much more enriched hereby as the Purchase-Monies are more? And would not the Nation be so much more peopled and strengthened, as the Purchasers are more? and the King's Revenue by Excise and Customs so much more encreased, as the Consumption of these and their Descendants shall be more? Merchants, to enrich themselves and the Nation, run great Hazards, and are often undone in their Merchandizing; whereas the Nation, nor any Man else, runs any Hazard by Foreigners purchasing Lands in *England*.

Ambitious Princes, to acquire more Subjects, run great Hazard, and destroy and make Men miserable, and ruin Countries, to accomplish their Designs; whereas none of these attend the Permission of Foreigners to trade and inhabit among us: and when they are once settled, theirs and the Nation's Interest will be the same, and both alike obliged to defend them.

Xenophon, in *Cyropædia*, says, That by reason of the Goodness and Justice of *Cyrus's* Reign, many Nations became his Subjects. Will any say *Cyrus* was less a King hereby? Or should we be less a Nation, if by the Benefit of our many Advantages in Trade we should by others encrease our Trade, which we cannot of our selves? Nay, should we not so much more enrich and strengthen our selves? When I consider these things, I wonder Foreigners should be at such Charges to purchase their Freedom by an Act of Parliament, whereas the King may do it if he pleases; unless it be that their Posterity shall nor inherit: but if the King may permit Foreigners to purchase without taking the Forfeitures, or grant them a Licence to purchase, he may grant them a Licence to settle their Estates as they please.

3. The third good Act of *K. Charles*, was his marrying the late Queen to his present Majesty, tho by the manner of it, it seems to me he did it by Surprise; and I'm apt to believe, if he could well have come off from it again he would, as appears by the Story.

4. We may add this fourth, That he bred up the late Queen and her Sister after the Religion of the Church of *England*.

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WHAT before King *Charles II*. acted in Masquerade, King *James* did bare-fac'd; and here you'll see how plain and easy a Passage the *Absolute Will* and *Pleasure-Men*, and *Passive Obedience-Men* had made for this King to overthrow the whole Church and State of *England*, and by what steps he proceeded in it; the King's Speeches looking one way, and he going quite contrary.

Upon the 6th of *February* in 1684. the Day of his Brother's Death, the King declared in Council, That since it had pleased God to place him in that Station, to succeed to good and gracious a King, as well as so kind a Brother; that he thinks fit to declare his Endeavours to follow his Brother's Example, more especially in that of his great Clemency and Tenderness to his People, and make it his Endeavour to preserve the Government both in Church and State, as it is by Law established; Commends the Church of

England's Principles and Members; knows likewise, that the Laws of England are sufficient to make the King as great a Monarch as he can wish; and therefore, as he will never depart from the just Rights and Prerogatives of the Crown, so he will never invade any Man's Property.

The next Sunday after his Brother's Death, the King went publicly to Mass, and that Week (I think) he order'd his Brother's dying in the Communion of the Church of Rome, and before his Death, his receiving his *Viaticum*, and other Ceremonies of that Church, and attested by Father *Huddleston*, to be printed; and also the Papers taken out of the King's Strong-box, shewing, that however he outwardly appeared otherwise in his Life, yet in his Heart he was sincerely a true *Roman Catholic*: So that however he promised to preserve the Church of England, as by Law established, yet his Profession was of the Church of Rome, which curses the Church of England, and declares them Hereticks, Schismatics, and Sacrilegious Persons, with whom no Faith is to be kept.

The King's Father, *Charles I.*, took the Customs before granted by Parliament; this King took both Customs and the Excise, granted only for the Life of his Brother, before they were given him by Parliament: How this corresponded with the King's Promise but the Week before, that he would never invade any Man's Property, I do not understand; for tho in every Government no Man has Property against the Supream Power, yet by the *English* Constitutions, the Supream Power of the Nation is in the Parliament, in Conjunction with the King: and the King's taking both the Customs and Temporary Excise for his Brother's Life, by his only Will and Pleasure, was as much a Violation upon the Property of the Subject, as if he had taken the rest of their Goods and Inheritances.

To the King's Promise of preserving the Church and State of England as by Law established, he adds, That he will imitate his kind Brother in his great Clemency, and Tendernefs of his People.

The first Act of the King's Clemency and Tendernefs to his People, was extended to Dr. *Oates*; but tho the Act was compleated in this King's Reign, the Scene was laid in his good and gracious Brother's, when *Oates* was Fined 100000 *l.* for *Scandalum Magnatum* against the Duke of *Tork*, in saying, *The Duke was reconciled to the Church of Rome*, and to be kept close Prisoner till the Fine was paid.

Oates being thus mew'd up, upon the King's coming to the Crown an Indictment of Perjury is contrived against him upon two Points; one, That *Ireland* was not in London from the 3^d of August in 1678, till the 14th of September next following; when *Oates*, in *Ireland's* Trial, said, *He was in a Consult concerning the killing the King, about the middle of August*: The other was, That

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Oates was at *St. Omers* all *April* and *May* in 1678; when *Oates*, in *Harcourt* and *Whitebread's*, &c. Trials swore, *They were at a Consult the 24th of April, concerning killing the King, and establishing the Popish Religion.* But that a better View may be had of this Trial of *Oates*, it's fit to look back into King *Charles II's* Reign.

It seems evident to me, That after the Dissolution of the Parliament at *Oxford*, (and I believe it will to any other that shall read King *Charles's* History) that he designed never after to have another Parliament, until he should get the Corporations to surrender their Charters, so as they should elect no other Members than pleased him; and in the mean time to take off the Heads of those who were zealous in prosecuting the Popish Plot.

Upon the Dissolution of the Parliament at *Oxford*, the Feuds between the *Whigs* and *Tories* were in highest Ferment; so that whatever was done against the *Whigs*, was cried up by the *Tories*, and Addresses made by them to the King, that they would live and die with him, in them. And because the *Whigs* (as they were called) would not find Bills against my Lord of *Shaftsbury* and *Colledge*, they resolved to carry the Election of Sheriffs in 1682, wherein Mr. *Dubois* and Mr. *Papillon* (*Whigs*) stood Candidates against Sir *Peter Rich* and Sir *Dudley North* (*Tories*); but they resolved by Right or Wrong *Rich* and *North* should carry it, and so they did; but by what Right, you may judge by the Prints.

The *Tories* having gained this Point, Sir *R. S. Gra.* and *Burt.* are Instruments for packing Juries; the Judges, *North*, *Pemberton*, and *Saunders*, &c. shall do their parts for declaring Charters void, and for Trying *Fitz-Harris*, my Lord *Russel*, Colonel *Sidney*, Sir *Thomas Armstrong*, &c.

But the taking off the Heads of the *Whigs* was but half this Design; the impeached Lords in the *Tower* must be let loose, or the Game was but half play'd: This was so ticklish a Point, that neither *Pemberton* nor *Saunders* could be brought up to it; but *Saunders* dying, and *Pemberton* removed to the *Common Pleas*, Sir *Geo. Jeffries* was set up to do this Work, which he did to content, and so was initiated to do what other Journey-work the Court should order. And now before him *Oates* is to be tried for Perjury, upon the two Points aforesaid.

Ireland was tried above six Years before, viz. in December 1678, before a Jury of Judges in the *Old-Baily*, and so was *Whitebread* and *Harcourt* within about a Month less than six Years, viz. in June 1679. *Ireland* pleaded he was not in *London* from the 3d of *August* till the 14th of *September*; and *Whitebread*, *Harcourt*, &c. pleaded that *Oates* was at *St. Omers* all *April* and *May* in 1678; so that if their Witnesses said true, 'twas impossible *Oates's* Testimony of *Whitebread's* being at the Consult in *April*, and *Ireland's* in *August*, could be true.

That *Oates* was in Town in April and May in 1678, was proved by Sir *Richard Barker*, Mr. *Walker* a Minister, Mr. *Clay* a Romish Priest, Mrs. *Mayo*, *Sarah Ives*, Mr. *Smith* (*Oates's* Schoolmaster, with whom *Oates* dined about the Beginning of May) Mr. *Page*, and *Butler* (Sir *Richard Barker's* Coachman.) But besides *Oates* and *Bedlow's* swearing *Ireland* was at the Consult in August, only *Sarah Pain* (who had been Servant to *Grove*, one of the Jesuits) swore *Ireland* was in Town in August.

Oates thus mew'd up, the *St. Omers* Boys are sent for over in all haste (and you need not doubt had new Instructions) and the Crew of *Staffordshire* Witnesses: the Boys to swear *Oates* was at *St. Omers* all April and May; the *Staffordshire* Witnesses, that *Ireland* was in *Staffordshire*, or thereabouts, in August and September. *Jessies* was the Judg, and you need not doubt of a Jury, to chime into *Jessies* summing up the Evidence.

Things standing in this Posture, *Oates* is tried upon the 9th of May upon Perjury, upon these two Points. At the Trial, *Oates* could get only four Witnesses to appear, (and 'twas a Wonder he could get any) viz. Mr. *Walker* the Minister, who after so long time, durst not trust to his Memory, to swear positively *Oates* was in Town, unless he should have the Minutes of his Examination before; and so Mr. *Page*; but *Mayo* and *Butler* both swore *Oates* was in Town: but unless *Sarah Pain* could be found, 'twas impossible for *Oates* to prove *Ireland* was in Town in August, for *Bedlow* was dead, and *Oates* could not swear for himself.

But *Ex tempore verum nascitur*. *Ireland* was Confessor to Mr. *John Jenison*, Father of Mr. *Thomas Jenison*, (a Jesuit in this Conspiracy, and who died in *Newgate*) elder Brother of Mr. *Robert Jenison*: This Mr. *Jenison* having been at *Windsor* in August 1678, came from thence to *Ireland's* Chamber the 19th, and found him pulling off his Boots on the Frame of a Table, being newly come from *Staffordshire*. *Ireland* ask'd him from whence he came? who told him, from *Windsor*. *Ireland* enquired about the Diversions of the Court; *Jenison* said, His Majesty's chief Delight was in Hawking and Fishing, accompanied only with two or three, early in the Morning: How easily then might he be taken off! answer'd *Ireland*. Then *Ireland* asked Mr. *Jenison* if he would be assisting in taking off the King? which if he would, *Ireland* said he would forgive him 20 l. which he owed *Ireland*. Afterwards *Ireland* ask'd him if he knew any Irish-men, who were courageous and stout? *Jenison* told him he knew Captain *Levallian*, *Kerney*, *Broghall*, and *Wilson*: then *Ireland* ask'd him if he would go along with these, and assist in taking off the King? which he refusing, *Ireland* said he knew *Levallian* and *Kerney*, and set down the other two Names in writing, and said he was going to the Club to Mr. *Coleman*, Mr. *Levallian*, and *Kerney*; and dunn'd Mr. *Jenison* for the 20 l. which

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which he owed *Ireland* : but *Ireland*, at his Death, denying he was in Town, from the third of *August* till the fourteenth of *September*, Mr. *Jenison* changed his Religion upon it, and printed the Reason; and after upon his Oath at my Lord *Stafford's* Trial declared this, and a farther Account of the Conspiracy against the King, and for introducing the *Popish* Religion.

If living Testimonies shall be doubted, yet I conceive I shall put it out of doubt, that *Ireland* was in Town, when his *Staffordshire* Witnesses said he was in *Staffordshire*, by a Proof which could not be bribed or corrupted.

One Mr. *Benjamin Hinton*, a Goldsmith in *Lombard-street*, was *Ireland's* Cashier; and Mr. *Hinton* going out of Town at that time in *Aug. 1678*, met *Ireland* at or about *Barnet*, coming for *London*, when *Ireland* told him, that he had extraordinary Occasions for Money, and urged *Hinton* to go back with him; but *Hinton* told him, his Man could do *Ireland's* Business as well as he, and his Occasions would not permit him to go back. I asked Mr. *Hinton* the Truth of this, to which he would not give me any Answer; but be this true or false, it's entred into *Hinton's* Book of Accompts, paid to Mr. *Ireland's* own Hands, whereas the other Entries are, paid by his Order: and 'tis said Mr. *Hinton's* Man would depose he paid these Monies to *Ireland* himself.

Mr. *Hinton* afterwards failing, a Commission of Bankrupt was sued against him, and his Book of Accompts was delivered, and kept at the Widow *Vernon's* Coffee-house in *Bartholomew Lane*, on the back side of the *Royal Exchange*, where any Man may see the Truth of this Entry. I am assured Mr. *Hinton* was in Court at *Oates* his Trial, to have testified this, but was terrified from it for fear of being undone.

However *Oates* was found guilty of Perjury upon both Points in this Trial, before *Jefferies* and his Brethren; and his Sentence was to be whipt from *Aldgate* to *Newgate*, the next *Wednesday* after, and the *Friday* after (but a Day between) from *Newgate* to *Tyburn*, which was put in Execution with the utmost Rigour; the Stripes of the first Whipping being so sore and green upon the second, that few other Men could have undergone the second; to stand in the Pillory five times in the Year, and to be a Prisoner during Life, which was as close as his Whipping was severe. This was the first Act of this King's Clemency and Tenderness to his People, in Imitation of his good, gracious and kind Brother, and this before any general Pardon (as is usual upon Kings coming to their Crowns) or the Parliament had met: but it might be easily prefigured whereto this tended; and tho it began with *Oates*, yet *Dangerfield* underwent as severe a Punishment, with a worse Fate, for discovering the *Meal-Tub Plot*, to have thrown the *Popish Plot* upon the *Presbyterians*.

These were the Preparations which King *James* made before the Parliament met, to demonstrate to the World and them, how sincerely he had made good his Promise to his Privy Council, That he would never invade any Man's Property, and imitate his good and gracious Brother in his great Clemency and Tenderneſs to his People; and make it his Endeavours to preſerve the Government both in Church and State, as it was eſtabliſhed by Law: By Law; no new Laws can be made, nor old ones repealed, or the Subject taxed, but by Parliament. But Flatterers in this King's Father, and Grand-father's Reign, aſcribed theſe Powers to the King without Conſent in Parliament, and that Obedience was due to their Abſolute Will and Pleaſure; and the Paraſites of this King and his Brother did the ſame, but under a new Doctrin, termed *Paſſive Obedience*: but theſe Princes not truſting to this, would make a Parliament *Felo de ſe*, and by corrupting them in their Principles, ruin the Being of them, and ſo to be at the ſole diſpoſing of the Prince,

The Houſe of Commons is made up of 513 Members, whereof 92 are Knights of Shires and Counties, the reſt are Citizens, Burgeſſes, and Barons of the *Cinque Ports*, ſo as the Knights of the Shires are not near one Fourth of the Houſe of Commons. The King creates the Temporal Lords in Parliament, and names the Spiritual: ſo that if the King can make the Members of Corporations to give up their Charters, and take ſuch as he ſhall grant, it will be in his Power to make above $\frac{2}{3}$ of the Houſe of Commons.

The Parliament at *Oxford* being diſſolved, the Contrivance of the Court was to play this Game; but becauſe *Quo Warranto's* againſt all the Charters in *England*, tho the King had made Judges, and the Sheriffs would be ſure to return ſuch Juries as ſhould be ſure to do the Work, would take up ſo much time, as King *Charles* ſhould never live to enjoy the Fruits of his Deſign;

'Twas therefore contrived, that after the Court had got *North* and *Rieſ* Sheriffs to return ſuch Juries as ſhould do their Work, to begin at the City of *London*; and if the Court could have Judgment againſt their Charter, few or none of the other Corporations would preſume to abide the Conteſt.

So ſaid, ſo done; for in *Trinity-Term*, in 1682, Judgment was given againſt the City Charter, yet there were three remarkable Obſervations upon it: Firſt, It was without any Precedent. Secondly, It was by two Judges only, and but two Arguments-upon it, and no Reaſon given of it: And Thirdly, it was uſhered in but two Days before, by pretending the diſcovering of a Plot to amuſe the Nation; ſo as no Man preſumed to take notice of the Legality of this Judgment, for fear of being proſecuted for Arraigning the Juſtice of the Nation, and flying in the Face of the Government.

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Hereupon Swarms of the richer Sort of Corporations surrendered their Charters, and took new ones, as the King pleased, and paid dear for them, and the King in return of their Kindness granted them new Fairs and Markets; but tho the richer Sort of the Corporations could pay the Keeper *North*, and Attorney *Sawyer* sound Fees for their Purchase, yet a Multitude of the meaner Sort could not come to their Price, and without Money no *New Charters* could be had, which put a Rub to the compleating this Work in King *Charles* his time; yet the good Will of the Members of these petty Corporations was not less.

The King's Care for the Knights of Shires, was less than for the Corporations; for the Sheriffs, Lords, and Deputy-Lieutenants, and Justices of Peace being of the King's Nomination, and the *Tory* Party having perfectly subdued the *Whigs*, the King by the same Power which made *North* and *Rich* Sheriffs, could have what Knights of Shires he pleased.

King *James* made good his Word he promised his Privy Council, that he would never depart from the just Rights and Prerogatives of the Crown; (of which no Question is to be made, but those which his good and gracious Brother had left him possesst of, were the principal) and how hastily soever he was after in his Actions, yet he took great Care how to exercise the Prerogative his Brother assumed in modelling Corporations, to improve it to his utmost Advantage; and therefore, though his Brother died upon the 6th of *February*, 1684, yet no Parliament met till the 19th of *May*, and then they did not sit to act before the 28th, which is much more than threefold the time from the issuing out of the Writs, and the 40 Days of their Meeting.

In the mean time all Hands are set on work to chuse such Members as should do the Court's Work; they were sure enough of such Corporations as had surrendered their Charters, and bought new ones; the beggarly ones, which could not come up to the Price of renewing their Charters, were graciously promised to have new ones *Gratis*, as they after had, if they behaved themselves well in the Choice of their Members: The Lords and Deputy-Lieutenants were as imperious in the Choice of Knights of the Shire, as my Lord Mayor was in the Choice of *North* and *Rich* for Sheriffs. But that we may take a better View of the Acts of the Parliament of King *James*, it's fit to consider how the Case stood with the King.

King *James* while he was Duke of *York*, was observed to be constant to his Word, and a true Friend, which made him more courted than his Brother; he had a Revenue of near 150000 *l. per An.* and was a frugal and careful manager of it; and this he brought as an Accession to the Crown, when he became King: *K. Charles* had more built, and better furnished his Royal Palaces

(which he had not given away) than any King of *England* before; and the Parliament about six Years before his Death, had given him 600000 *l.* for building thirty new Men of War, to make his Fleet more formidable than that of the *Dutch*, or *French* King, and the Nation in Peace unless among our selves; so that it might have been reasonably expected a much less Revenue than what King *Charles* had, added to that of the Duke's, might have supported the ordinary Expence of the Crown, if no extraordinary should happen.

Notwithstanding all this, the King upon the 22th of *May*, told the Members (such as they were) the same things he told his Privy Council, that he might not seem to have said it by chance; and in return thereof, he expected they should settle his Revenue (because he had taken it without them) during his Life, as it was in the time of his Brother, for the Well-being of the Government, which he must not suffer to be precarious, which I believe was the first time any King of *England* so carested a Parliament; but these (if they were worthy to be called a Parliament) being made to his Hand, the King might do and say to them what he pleased.

Before the Kings of the *Scotish* Race came to bear rule over us, the Methods of Parliaments were to represent the Grievances of the Nation; and upon Redress of them the Parliament gave the King a Gratuity, which before the 35th of Queen *Elizabeth*, did never exceed one Subsidy, and two Tenths or Fifteenthis; and the King in return, granted an Act of Pardon to his Subjects: Thus a mutual Correspondence was entertained between the King and Kingdom.

But when King *James* the first came to the Crown, the representing the Grievances of the Nation, by his disorderly Reign, was Language intolerable to him, so that of four Parliaments (which were all he had in his Reign) in the last he boasted, *He had broke the Neck of three of them*; and his Son broke the neck of the four first Parliaments of his Reign: yet such was the Temper of those Times, that to humour these Princes, the Parliament of 18 *Jac. I.* and the 1st *Car. I.* altered the Methods of Parliament, and that of the 18th gave King *James* two entire Subsidies; and that of the 1st *Car. I.* gave King *Charles* two entire Subsidies before Grievances were redressed. King *James I.* in return of their kindness, not only brake the Neck of the Parliament, but committed many of the worthiest Members close Prisoners to the Tower, for presuming to debate them: King *Charles* did not commit any Members of this Parliament (tho he did in his 3^d and 4th Parliament) but brake the Neck of the Parliament rather than they should enquire into the Duke of *Buckingham's* Actions, and the imbezelling the Monies given by the Parliament for the Support of the *Palatinate*.

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Heretofore Grievances were in the Nation, whereas at the Death of King *Charles* the II. the whole Nation was in a most grievous and dangerous State, which the Parliament of King *James* (if it be worthy to be so called) took so little notice of, that instead of representing the State of the Nation to King *James*, they without redressing any, gave him a Revenue, to enable him to ruin Church and State, upon the Foundation which his Brother had laid.

The 1st Act was to settle the Customs and temporary Excise upon the King as it was settled before upon his Brother; but the King had little reason to thank them for that, for he took both before they gave them, and called them by that Title, His Revenue.

The 3^d Act was an Imposition upon Wines and Vinegar, imported between the 24th of June 1685, until the 24th of June 1693, towards a Supply for Repairs of the Navy, and providing Stores for the Navy and Ordnance, and other his Majesty's weighty and important Occasions: They shall soon find the weight and importance of his Majesty's Occasions. But this was not the only Reason; the Customs which were 800000 *l.* per annum, as granted to his Brother, and a greater Revenue than any King of *England* (except the religious Houses, granted to *Henry* the VIII.) had before, would have done this: They add their thankful Acknowledgment of his Majesty's favourable and tender regard of his Commons; They had but little experience of it yet, and shall find less afterward.

The 4th Act grants an Imposition upon all Tobaccos and Sugars, from the 24th of June 1685, to the 24th of June 1693, for the Repairs of the Navy, and providing Stores for the Navy and Ordnance, and the payment of Debts due to his late Majesty's Servants and Family, and other the King's weighty and important Affairs: But this Act being represented to be dangerous to the Trade of our Plantations, some of the Members said for the King, if it succeeded so, the King promised not to collect them, so the Act passed. But the Plantations being sore oppressed by this Act, claimed the Benefit of the King's Promise, but were answered, It was Injustice in any Subject to challenge the King of his Promise, which was all the Benefit they reaped by it.

The 5th Act granted the King an Imposition on all *French* Linens, and all *East-India* Linen, and several other Manufactures of *India*, and *French* wrought Silks and Stuffs, and all Brandies imported from the first Day of July 1685, to the first day of July 1690. The reason of this Act was, the Duke of *Monmouth's* Rebellion, and the Acknowledgment of his Majesty's favourable and tender regard of his Commons.

And that there might be a nearer Conjunction between the King and his dear Brother of *France*, for carrying on their great and important Affairs, the Parliament repealed the Prohibition of

French

French Wine, Vinegar, Brandy, Linen, Cloth, Silks, Malt, Paper, or any Manufactures made or mixed with Silk, Thread, Wool, Hair, Gold or Silver, or Leather, being of the Growth and Manufacture of France, by the 29th and 30th of King Charles the Second.

The 9th Act enables the King to make Grants, Leases and Copies of Offices, Lands, Tenements and Hereditaments of the Duchy of *Cornwal*, or annexed to the same; and if this were not enough, it confirms the Grants already made: so that all the sacred Patrimony of the Crown, which was not squandred away by his Brother, this King is intituled to do by Law.

Yet after all this, that this good King might be at no unnecessary Charges, the 10th Act makes provision for necessary Carriages for him in his Royal Progress and Removal, how grievous soever to the Subject.

The 11th Act provides Carriages by Land and Water, for the use of his Majesty's Navy and Ordnance.

And after all this, the 12th Act grants the King five Shillings *per Tun* extraordinary upon every Voyage, which any Foreign Ship shall make from Port to Port in *England*, and twelve pence *per Tun* for every Voyage which a Foreign built Ship, not free, shall make.

I have heard this Revenue with the Hereditary Excise, and the other Revenues of the Crown, computed at 2400000 *l. per Ann.* to which Revenue if you add 150000 *l. per Ann.* which the King had when he was Duke of *Tork*, the whole will amount to two Millions five hundred and fifty thousand Pounds *per Ann.* which was threefold more than ever any King of *England* (except *Hen. VIII.*) had before this King's Brother.

But *Quorsum hæc?* for except the Tumult which the Duke of *Monmouth* raised, the Nation was at Peace abroad; so that by granting the King this Revenue, one of these two Consequences would necessarily follow: either the King might maintain an Army of forty thousand Men, to ride the Nation as he pleased; or if he would contract his Expence to 700000 *l. per Ann.* which, I say, was a greater Revenue than ever King of *England* (except *Hen. VIII.*) had before his Brother, he might in less than seven years time, hoard up more Money in his Exchequer (allowing ten Millions to be in *England*) than was in the Nation; and thereby render the Nation in as bad a State as *Egypt* was in the Reign of *Pharaoh*, in the seven Years Famine, when the *Egyptians* were forced to sell the King their Land to buy them Bread. Now let's see to whom this Revenue was given, and who gave it.

This King was a profest Jesuited Papist, whose Principles are, That not only the Givers of this Revenue, but the whole *English* Nation (except the Popish Faction) are Schismaricks, Sacrilegious Persons,

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sons, and Hereticks, with whom no Faith is to be kept; and could any Man believe this profuse Donative which these Men gave, who called themselves a Parliament, could change the King's Nature, and the Principles of the *Jesuits*, which forsooth must be infallible, so that the King should neglect these, and imploy this Revenue for the benefit of Schismaticks, Hereticks and Sacrilegious Persons?

And if in all free Assemblies, a Violence or Contempt upon any one, who hath a Right of Suffrage, invalidates all the Acts of that Assembly; what then shall be deemed of this House of Commons, where such Violences were offered in the Election of the Knights of Shires, and where so many Corporations were either over-aw'd to surrender their Charters, or had peridiously against their Oaths given them up to take new ones, as the King pleas'd? And if the first Act of *Henry IV.* repealed all the Acts of the 21 *Rich. II.* because they intrenched upon the fundamental Rights of the Nation, I'm sure there is more Reason for the Parliament to repeal the Acts of this pretended Parliament, where so many Violences and Frauds were done before their Assembly, which we do not read were done before the Parliament of 21 *Rich. II.* met.

And as this grave Assembly heaped such a Revenue upon the King without redress of one Grievance, so they took no care to secure the Nation by a general Act of *Grace or Pardon* for time past, but left all to the King's good Nature, who had promised to imitate his good and gracious Brother, but especially in his great Clemency and Tenderneſs to his People. And now the Parliament had done the King's work, they had done their own too; and for the time to come, he will do what he pleaseth without them: yet at present, he only prorogued them till *November* following, when they shall hear more of his Mind. And now 'tis time to see what the King acted between.

The first Act of Gratitude which the King testifi'd to the Memory of his good and gracious Brother, was his obscure and mean Burial of him, as you have heard before.

And after the King had defeated the Tumult rais'd by the Duke of *Monmouth*, his next Act of Gratitude to his kind Brother, was to sign a Warrant of Execution for the Duke (his Brother's beloved Son) without any Trial or Process of Law against him: But his Grandfather *James* the First had either done the like, or at least not unlike it, when he came to *Newark* upon *Trent*, in his Passage to *London*, at his first coming to the Crown; one was said to cut a Purse, whereupon the King without more ado signed a Warrant for his Execution to the Sheriff, and the poor Fellow was executed accordingly.

The Duke suffered upon the 15th of *July*, but the Issue of Blood did not stanch with him; for towards the latter end of *August*, a
Special

Special Commission of Oyer and Terminer was granted to Sir George Jefferies, and four other Judges, to try the Duke of Monmouth's Adherents in the West: But as the Duke suffered without any Trial, and so was unjustly put to Death, so I believe, this Commission was initiated by such a Trial as can scarce be parallel'd by any other; and this was the Case.

Alicia Lisle, a Woman of extream Age, was Wife of Lisle, (one of King Charles the First's Judges, and who was President of the High Court of Justice, as 'twas then called, in the Trials of Duke Hamilton, the Earl of Holland, and my Lord Capel; and also in the Trial of Sir Henry Slingsby, Dr. Hewet, &c.) and had entertained after the Defeat of the Duke of Monmouth, one Hicks (a Non-Conformist Minister) who was with the Duke, not in any Proclamation that he was so; and one Richard Nelthorp (a Stranger to Mrs. Lisle) who was in the Proclamation, and Out-lawed of High Treason; for which she was tried at Winchester for High Treason, for comforting and assisting Rebels.

It appears by the publick Prints, the Jury were so unsatisfied by the Evidence, (Hicks not being in any Proclamation, and Nelthorp unknown to Mrs. Lisle) that they thrice brought her in Not Guilty; at last, upon Jefferies Threats, they brought her in Guilty of High Treason, and so had Sentence passed upon her accordingly, which in Women is to be burnt, but the Execution was by beheading of her; so that whether the Sentence was just or not, the Execution was unjust; for though the King may pardon or mitigate the Punishment of any Crime against him, as to pardon Treason, or to mitigate the Execution to beheading, which is part of the Sentence, yet he cannot alter the Punishment into any other than the Law prescribes: but the Convention after King William came in, were so dissatisfied in her Case, that though they could not restore her to Life, yet they revert the Judgment for her Death.

From this uncertain Justice, Jefferies and his Brethren make haste to proceed in their Commission *Summo Jure*, and from Winchester, by Salisbury, upon the 3d of September (a day fam'd for Oliver's Victory over the Scots at Dunbar, over King Charles the II. at Worcester, and for his Death) arrives at Dorchester; and because time was precious, the next day Jefferies contrives this Stratagem to shorten his Work.

Thirty Persons being found by the Grand Inquest to have assisted the Duke of Monmouth, when they came upon their Trials, and before they had pleaded, Jefferies told them, that whosoever pleaded *Not Guilty*, and was found so, should have little time to live, and if any expected Favour, he must plead *Guilty*.

But the Prisoners trusted little to what *Jefferies* said, and pleaded *Not Guilty*, yet 29 were found *Guilty*, and immediately Sentence was passed upon them, and a Warrant of Execution signed upon *Monday* following; after which a couple of Officers were sent to the Goal, to take the Names of all the Prisoners, who told the Prisoners, if they confest, they might expect Mercy, otherwise none was to be hoped for: these wretched Men thus wheedled, pleaded *Guilty*, and so at one Sentence *Jefferies* condemned 292, whereof 80 were executed.

From *Dorchester* *Jefferies* proceeded to *Exeter*, and used the same Stratagem as at *Dorchester*: for one Mr. *Fower Acres* being arraigned, and pleading *Not Guilty*, yet being found so, had immediately Sentence passed upon him, and Execution awarded upon it; whereupon 243 pleaded *Guilty*, and by one Sentence had Judgment passed upon them.

From *Exeter* *Jefferies* marched to *Taunton*, where some few pleaded *Not Guilty*; but being found, had immediately Sentence and Execution awarded; the rest terrified, pleaded *Guilty*, and had Sentence passed upon them: and thence *Jefferies* marched to *Wells*, where he finished his bloody Assize, where and at *Taunton* he condemned above 509, whereof 239 were executed, and had their Heads and Quarters set up in the principal Places, and High Roads of *Somerset* and *Dorsetshires*, to the terror of Passengers, and annoyance of those Parts. In these Executions I find one remarkable Story; it's printed in a Treatise, called *The New Martyrology*, fol. 478.

Colonel *Holmes*, and 11 more of those condemned at *Dorchester*, were carried from *Dorchester* to *Lime* towards their Execution, by six in a Coach, and six in a Cart; and at *Lime* they were put in a Sledg prepared to carry them to be executed; but the Horses could not be driven to go, but turned backward: whereupon the Coach-horses were taken from the Coach, and put to draw the Sledg, but then the Sledg broke; so the poor Men were forced to go on their Feet to their Execution.

I will not dispute the Justice of these Executions; but I say, Justice ought to look forward, viz. to terrify others from committing like Crimes, never backward to take Pleasure in punishing; and a black Brand is set upon the Reigns of those Princes which shed much Blood: nor do we read in any Story, such a Sea of Blood flowed from Justice as did in less than eight Months after this King began his Reign: and that which rendred it more remarkable was the King's Profession to his Privy Council, and after to the Parliament, That he would imitate his good and gracious Brother, but above all, in his great Clemency and Tenderness to his People.

But if Justice look'd forward in *Jeffries's* Executions, it did not in *Kirk's*, (who was one of King *James's* Major-Generals in the Expedition against the Duke of *Monmouth*) who when after the Duke's Defeat he came to *Taunton*, caused 90 wounded Men, who had been taken Prisoners, not permitting their Wives or Children to speak with them, to be hang'd, with Pipes playing, Drums beating, and Trumpets sounding; and after, their Bowels to be burnt, their Quarters to be boiled in Pitch, and hang'd in several parts of the Town: and I have heard, that when afterwards *Kirk* was charged with this Inhumanity, he excused it, that he could do no less, it being but part of the Instructions he had from the Right Honourable the Earl of *F—*, General in this famous Expedition.

As yet no Pardon could be hoped for to any one, but by those which could purchase it by the Ruin of their Estates; and those which could not purchase one, were sold for Slaves to the Plantations.

When Justice could take no further place, then out comes a Pardon, but so ridiculously cruel, as will scarcely be believed; for not only those who escaped were excepted, but a Company of Girls, some of 8 or 9 Years old, who had made some Colours, and presented them to the Duke of *Monmouth* while he was at *Taunton*, these were excepted by Name; and no Pardon could be purchased for this Treason, till the Girls Parents had paid more for it than would have provided a Marriage Portion when they should come of Age.

But suppose the King did imitate his good and gracious Brother in his great Clemency and Tenderness to his People, and that Justice only looked forward in these Executions; yet we will give Instances wherein this King did not imitate his good and gracious Brother in his great Clemency and Tenderness to his People.

Alderman *Cornish*, tho he had committed two horrible Crimes in the Reign of King *Charles*; one, in presuming to examine *Fitz-Harris* while he was a Prisoner in *Newgate*, before he was hurried from thence to the *Tower*, to prevent his further Examination; the other, that he testified at *Fitz-Harris's* Trial, that King *Charles* told Mr. *Cornish*, that the King did countenance *Fitz-Harris* in his Design, and had given him Money; yet King *Charles* was so good and gracious, as not to take away Mr. *Cornish's* Life.

But the offended Ghosts of *Coleman*, *Ireland*, *Harcourt*, &c. were no ways appeased by the Blood which flowed from the Stripes of *Oates's* Sentence; nothing less than a Sacrifice of humane Blood must be offered to them, and this to be performed by affixing Sacred Justice to it.

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Upon *Tuesday* the — of *October*, Mr. *Cornish*, having no dread of any Accusation upon him for any Crime, but freely following his Profession, was clapt up close Prisoner in *Newgate*, without use of Pen, Ink, or Paper, till *Saturday Noon*, when he had notice of an Indictment of High Treason against him on *Monday* following, and could get no Friend to come to him till 8 a clock at Night: Next Day Mr. *Cornish's* Children petitioned the King to have his Trial put off, which was referred to the Judges (who you may be assured had their Instructions) who denied it, tho he knew not whether his Trial were for Treason against this or the late King, and his most material Witness was above 140 Miles off, and was also denied a Copy of the Pannel of his Jury.

The Charge of High Treason against him was, That in the Year 1682, he had promised to be assisting to *James* late Duke of *Monmouth*, *William Russel* Esquire, and Sir *Thomas Armstrong*, in their Treasons against King *Charles II.*

The only Witness to prove this was Colonel *Rumsey*; who swore, That about the latter end of *October*, or beginning of *November*, at Mr. *Sheppard's* House, *Ferguson* told Mr. *Cornish*, that he had read a Paper to the Duke of *Monmouth*, Lord *Russel*, Lord *Grey*, and Sir *Thomas Armstrong*, which they desired should be read to Mr. *Cornish*; that Mr. *Sheppard* held the Candle while it was reading, and afterward they asked him how he liked it, who said he liked it very well. He remembered two Points in it very well; one was for Liberty of Conscience, the other was, That all who would assist in that Insurrection who had had Kings Lands, or Church Lands, should have them restored to them. *Rumsey* did not hear all the Paper, but observed only these two Points; it was a Declaration on a Rising, and when the Rising was to have been, it was to have been dispersed abroad: there was a Rising intended at that time, and Mr. *Cornish* said, He liked the Declaration, and what poor Interest he had he would join in it.

Rumsey had sworn at my Lord *Russel's* Trial, that Mr. *Cornish* was not at the Reading of the Declaration by *Ferguson*; and being tax'd for it in this, said it was out of Compassion to the Prisoner; and Mr. *Sheppard*, who was *subpœna'd* for the King, testified Mr. *Cornish* was not there.

Richard Goodenough was the other Witness, which was about Words foreign to *Rumsey's* Testimony, about seizing the Tower, and a Rising in the City; which if what *Goodenough* said had been true, yet Mr. *Cornish* could not have been found Guilty of Treason: for tho by the first Act of Parliament after the Convention of King *Charles II.* Words were made Treason against the King during his Life, yet were they to be prosecuted within six Months, and the Person to be indicted in three Months after; whereas these Words were pretended to be spoken in *Easter Term* in 1683, which was two Years and a half before.

Add

Add hereto, the Words were imperfectly said by *Goodenough*, and might be applicable to a pretended Rior, wherein Mr. *Cornish* was concerned; and that *Goodenough* was upon ill Terms with Mr. *Cornish*, because he would not trust *Goodenough* to be his Under-Sheriff. You may read the Trial at large, with Mr. *Hawles* his fine and learned Remarks upon it; and how rudely Mr. *Cornish* and his Witnesses were used at his Trial, and how notwithstanding his Quality, after Conviction he was tied, as if he had been a boisterous and dangerous Rogue, and that by Order, and executed with the utmost Rigour of the Law for this far-fetch'd and ill-proved Treason. But these *Tories* shall soon see they labour for others, not for themselves; and these whom they now persecute shall have the Ascendant over them. And I observed this of Sir *Thomas Jones*, who was Chief Justice of the *Common-Pleas*, and most active in this Trial, that he was one of the first, if not the first, who was turned out of his Place for giving his Opinion, the King could not dispense with the *Test* and *Penal Laws*.

The Design thus deep stained in humane Blood, first budded in *Ireland*; but whether it was in Affirmance of the King's Promise to his Privy Council, and after repeated by him in Parliament, that he would make it his Endeavour to preserve the Church and State of *England* as by Law established, let any Man who reads the following Story judge.

The Book titled the *State of the Protestants in Ireland*, said to be written by Bishop *King*, fol. 58. says, That King *James* was no sooner settled in his Throne, but he began to turn out some Officers who had been most zealous for his Service, and had best deserved of him, merely because they had been counted firm to the Protestant Religion and the *English* Interest, such as my Lord *Shannon*, Captain *Robert Fitz-Gerald*, Captain *Richard Coote*, Sir *Oliver St. George*; and put in their places, Kerney (one of the Russians designed to murder *Charles II.*) *Anderson* (a mean Fellow) *Sheldon* (a profest Papist) and one *Graham*: and fol. 59. faith, the Duke of *Ormond* was sent for abruptly, and divested of the Government; and immediately the modelling of the Army was put into the Hands of Colonel *Richard Talbot*, a Man of all others most hated by the Protestants, and who had been named by Mr. *Oates*, in his Narrative, for this very Employment; so that many who believed nothing of the Plot before, gave Credit to it now, and said, *That if Oates were an ill Evidence, he was certainly a good Prophet*. Now let's see the Character the Bishop gave *Talbot*, and the manner of his reforming the Army.

Talbot knowing how necessary it was to have the Army fitted for his purpose, prosecuted it in such manner as might be best expected from a Man of so insolent a Temper. He exercised at the same time so much Barbarity and Falshood, that if the Army had not

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not been the best principled with Loyalty and Obedience in the World, they had mutiny'd, or at least dispatch'd him. In the Morning he would take an Officer into his Closet, and with all the Oaths, Curses, and Damnations, which were never wanting to him, he would profess Friendship and Kindness to him, and promise him the continuance of his Commission, and in the Afternoon cashier him with all the Contempt he could heap upon him; nay, perhaps while he was thus caressing him, he had actually given away his Commission: As for the Souldiers and Troopers, his way with them was, to march them from their usual Quarters to some distant place, where he thought they were least known, where they should be put to the greatest Hardships, and where he stripped them; the Foot of their Clothes, for which they had paid, and the Troopers of their Horses, Boots, and Furniture, bought with their own Money; and sent them to walk barefooted 100 or 150 Miles to their Homes or Friends, if they had any: sometimes he would promise them something for their Horses, but then they must come to *Dublin* for it; if any came to demand the small Pittance he had promised them for their Horses, or Arrears of Pay, he contrived it so, that they must be obliged to wait till they had spent twice so much as they expected, and most of them, after all, got nothing: by which means 2 or 3000 *English* Gentlemen, who had laid out all, or a good part of their Fortunes, and contracted Debts on Commissions, were left not worth any thing, but were turned out without Reason, or any Consideration, and 5 or 6000 Souldiers sent a begging. Yet this *Talbot*, Bishop *Tyrrel*, so early as in *July 1685*, (in the Interval of King *James's* Parliament) recommends to the King as the most fit Man to be Lord-Lieutenant of *Ireland*, as you may read in his Letter to the King in Bishop *King's* Appendix, fol. 295. So that what-ever the King said, either to his Privy-Council or Parliament, he was proceeding on his Design he had been long before contriving.

I do not find the Parliament, at their next Meeting in *November*, took notice of any of these things; but the King, in his Speech to them at their Meeting, made it (to me it seems) plainly appear he designed the same in *England* which he was practising in *Ireland*.

He told them, That the *Militia*, so much before depended on, was not sufficient for his Occasions, and that nothing could do but a good Force of well-disciplined Troops in constant Pay to defend us from such, as either at home or abroad are disposed to disturb us: That in Truth his Concern for the Peace and Quiet of his Subjects, as well as for the Safety of his Government, made him think necessary to encrease the Number as he had done. This he showed as well to the Honour and Security of the Nation, whose

Reputation was so infinitely exposed to all our Neighbours, by having been laid open to the late wretched Attempt (*Monmouth's*) that it is not to be repaired without keeping such a Body of Men on foot, that none may ever have the Thoughts again of finding us so miserably unprovided: That it was for the Support of this great Charge, which is now more than double what it was, that he asked their Assistance, in giving him a Supply answerable to the Expence it brings along with it: That he could not doubt, but what he had begun, so much to the Honour and Defence of the Government, would be continued by them with all Cheerfulness and Readiness, which is requisite for a Work of so great Importance.

Then he goes on, and says, Let no Man take Exception that there are some Officers in the Army not qualified according to the late Tests for their Employments; these Gentlemen (he said) he must tell them, are most of them well known to him, and having formerly served him on several Occasions, and always approved the Loyalty of their Principles by their Practice, he thinks them now fit to be employed under him; and that he would deal plainly with them, that after having had the Benefit of their Services in such a time of Need and Danger, he will neither expose them to Disgrace, nor himself to the want of them, if there should be another Rebellion to make them necessary to him.

Then he cajoles them, and tells them he is afraid some Men might be so wicked to hope and expect that a Difference might happen between them and him: but when they consider what Advantages had arisen to him and them, in a few Months, by the good Understanding they have hitherto had, what wonderful Effects it had already produced in the Charge (*Change*) of the whole Scene of Affairs abroad, so much to the Honour of the Nation, and the Figure it ought to make in the World, and that nothing can hinder a further Progress in this way to all their Satisfaction, but Jealousies and Fears among our selves; he will not apprehend that such a Misfortune could befall him and them, as a Division, or but Coldness between them, nor that any thing could shake them in their Steadiness and Loyalty to him, who (by God's Blessing) would always make them all Returns of Kindness, with a Resolution even to venture his own Life in the Defence and true Interest of this Kingdom.

He let us see how this King's Speech corresponded with that to his Privy Council, and that of the 28th of May before, and his Actions between the Prorogation and Meeting of the Parliament; and I will speak it in the Person of the King.

At my first coming to succeed so good and gracious, as well as so kind a Brother, I then promised to endeavour to follow his Example, and more especially in his great Clemency and Tender-

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ness to his People; his Kindness to me I have endeavoured to shew in his solemn Burial, and the Execution of his Son, without any legal Trial or Process: and sure none of you but must needs take notice how I have endeavoured to imitate him in his great Tenderness and Clemency to his People, not only in the Mercy I extended to those who assisted in *Monmouth's* Rebellion, but in the Trials of *Oates* and *Cornish*, tho my good and gracious Brother thought it not fit so to do.

I then told you, as I would never depart from the just Rights and Prerogatives of the Crown, so I would never invade any Man's Property: but this must be only understood in *England*; for since that I have given Colonel *Richard Talbot* (whom I intend to make Lord-Lieutenant in *Ireland*) an independent Commission to reform the Army in *Ireland*, and to take the Troopers Horses, Pistols, Swords and Boots, and the Arms and Clothing of the Foot, which they had bought and paid for, without paying for them.

I then told you, I would endeavour to preserve the Church and State of *England*, as established by Law; but now I tell you, that I have employed some Officers in the Army, not qualified according to the late Tests; and will deal plainly with you, I will neither expose them to Disgrace, nor my self to the want of them.

The *Militia* is not sufficient for my Occasions, nothing but a good Force of disciplin'd Troops, in constant Pay, will do it; and to that purpose, I think it necessary to encrease the Number to the proportion I have done, *viz.* double, for which I ask your Assistance, in giving me a Supply answerable to the Expence it brings along with it.

Tho I have disbanded the Army in *Ireland*, which were as true *Passive-Obedience-Men* as could be got for Love or Money, yet were they not fit for my Occasions; and tho I have encreased my Army in *England* to such a Proportion as you now see, and officer'd with such Officers as are not qualified by the late Tests, yet they are not fit for my Occasions, and for which I ask your Assistance, in giving me a Supply answerable to the Expence it brings along with it: yet let no Man be so wicked, as to hope this may put a Difference between you and me; but consider what Advantages have arisen to us in a few Months by the good Understanding we have hitherto had, and the wonderful Effects it hath already had. Now let's see what Influence this King's Speech had upon the Members.

The Lords, hand over head, ordered Thanks to the King for his good and gracious Speech; but it did not pass so hastily with the Commons, but they debated it Paragraph by Paragraph: and because the *Militia* had not been so forward as the King would have them, they voted, that they would take into their Consideration how to make it more useful in time to come, in case such dangerous

Attempts should be made, as in *Monmouth's Rebellion*; and upon the 16th of November made this Address to the King.

Most Gracious Sovereign,

WE Your Majesty's most Loyal and Faithful Subjects, the Commons in Parliament Assembled, do in the first place (as in Duty bound) return Your Majesty most humble and hearty Thanks for your great Care and Conduct in the Suppression of the late Rebellion, which threatened the Overthrow of this Government, both of Church and State, and the utter Extirpation of our Religion as by Law established, which is most dear to Us, and which Your Majesty has been graciously pleased to give Us repeated Assurances You will always Defend and Support, which with all grateful Hearts we shall ever acknowledge.

We further crave leave to acquaint Your Majesty, that we have with all Duty and Readiness taken into our Consideration Your Majesty's gracious Speech to Us; and as to that part of it relating to the Officers in the Army, not qualified for their Employments, according to an Act of Parliament made in the 25th Year of the Reign of Your Majesty's Royal Brother of Blessed Memory, Intituled, An for preventing Dangers which may happen from Popish Recusants, We do out of Our bounden Duty humbly represent unto Your Majesty, that these Officers by Law be incapable of their Employment, and that the dangers they bring upon themselves thereby, can no ways be taken off but by Act of Parliament: Therefore out of the great Deference and Duty we owe unto Your Majesty, who has been so graciously pleased to take notice of their Services to you, we are preparing a Bill to pass both Houses for Your Royal Assent, to Indemnify them from the Penalty they have now incurred; and because the continuance of them in their Employments, may be taken to be a Dispensing Power with that Law without Act of Parliament, the Consequence of which is of the greatest Concernment to the Rights of all your Majesty's Dutiful and Loyal Subjects, and to all the Laws made for security of their Religion; We therefore the Knights, Citizens and Burgesses of your Majesty's House of Commons, do most humbly beseech Your Majesty, that You would be graciously pleased to give such Directions therein, that no Apprehension or Jealousies may remain in the Hearts of Your Majesty's Good and Faithful Subjects.

This Address was like the shutting the Stable-door when the Steed was stolt; these Commons had no such Apprehensions when they heaped such an exorbitant Revenue upon the King, to enable him to maintain an Army of 40000 Men, to ride them and the Nation when he pleased; and now they see the King drives a Way which tends to the Nations as well as their Destructions, they tell the King such Ways may give Apprehensions and Jealousies in the Hearts of His Majesty's good and faithful Subjects. Did not the

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the Commons in all the four Parliaments in King *Charles* the 2^d's Reign, declare what would be the Consequences of the Duke of *York*'s coming to the Crown? and did the Duke's Actions, while he was Regent in *Scotland*, any ways alleviate those Parliaments Fears? Could this Parliament (as 'twas called) now they were got together again, and saw Colonel *Talbot* with an independent Commission from the Lord Lieutenant, so barbarously disbanding the Army in *Ireland*, because guilty only of being Protestants, yet believe the King would admit of no Papists in his Army in *England*? Could they believe that once professing of the King, who was a *Jesuit* Papist, that he would maintain the Church and State as by Law established, would wash out all the Jesuit Principles which had taken such deep root in him, that no Faith is to be kept with Hereticks, which the King esteemed these, who had prostituted him with such a vast Revenue, and all the Nation besides who were not of his Faction, to be; but that by Fire, Faggot, and all other such means they were to be rooted out, and grow no more upon the Face of the Earth?

The Bishops retained fresh in memory, during the Reign of King *Charles* the 2^d, the Indignities the Factions in the late times had shewed to their Persons and Revenues, so that they were not only opposite to the Commons in passing the Bills which the Commons had prepared for uniting the King's Protestant Subjects, when they perceived the Danger the Nation was in by the *Papish* Designs; but stily opposed the passing *The Bill of Exclusion* against the Succession of the Duke of *York*, and all along King *Charles* his Reign, countenanced the Doctrine of *Passive Obedience*, as thinking themselves, and their Order most secure under it; but here in their Politicks failed them.

For now the Bishops perceived a more terrible Storm coming upon them, by a Faction who never shewed Mercy to any opposite to them whenever it came in their Power; and the Doctrine of *Passive Obedience* had made a plain and easy Passage for the *Papish* Faction to take Possession of this Power: The Bishop of *London* therefore, after the Lords had voted an Address of Thanks to the King's Speech, moved in the name of himself and all his Brethren, that the House would debate the King's Speech, which, as it was extraordinary and unusual in the House, so was it not less surprising to the King and Court, who now dreaded the Lords would concur with the Commons in their Address; to prevent which, the King first prorogued, and then dissolved the Parliament, and never called another in all his Reign: And thus the King made good to the Parliament, in his Speech to them the 28th of May, *That the best Way to engage him to meet them often was, to use him well, and did expect that they would comply with him in what he desired, and that they would do it speedily, that it might be a short Session,*

and that he and the Parliament might meet again to all their Satisfaction: and for the Bishop of London, the King shall remember his Motion in due time, when he shall plead no Privilege of Parliament.

The King having so ill performed his Promise to the Parliament, of often meeting of them, where he might hear of it again, which by no means he would endure; after he had dissolved them, had a fair Field without any Rub to do what he pleased; and to petition him, or represent the Grievances of the Nation out of Parliament, shall be a great Crime, next to High Treason: And now 'tis time to observe the Steps the King proceeded by, to maintain the Church and State of *England*, as by Law established.

His Brother had laid the Foundation of making a Parliament *felo de se*, by hectoring and making Bargains with Corporations to surrender their Charters, and taking new ones from him; whereby he reserved a Power, that if they did not send such Members as pleased him, he would resume the Charters he granted them: and herein he made a great Progress, till his Keeper and Attorney General refused to grant Patents to such poor Corporations as could not pay their Fees, so as a new Keeper or Chancellor, and Attorney-General must be had, who would grant Patents *gratis*, or a Stop would be made in the Progress of so noble a Design.

In a lucky Hour my Lord Keeper *N——* died at *Astrop-Wells*, I think when *Jeffries* was in his March to the *West*, and for a Reward of my Lord *Jeffries*'s Clemency that he shewed, had the Seals given him, with the Title of Lord Chancellor; but the Attorney was not so lucky, but lived to be turned out, and another put in his Place, which would perform his Office more charitably to these indigent Corporations, which could not pay their Fees in taking new Patents, after they had perfidiously betrayed their old.

But this was but one Step towards this Holy Work; the King, to make a thorough Reformation, will make the Judges in *Westminster-Hall* to murder the Common Law, as well as the King and his Brother designed to murder the Parliament by it self; and to this end, the King, before he would make any Judges, would make a Bargain with them, that they should declare the King's Power of dispensing with the *Penal Laws* and *Tests* made against *Recusants*, out of Parliament.

However herein the King stumbled at the Threshold; for it's said he began with Sir *Thomas Jones*, who had merited so much in Mr. *Cornish*'s Trial, and in the *West*; yet Sir *Thomas* bogled at this, and told the King, *He could not do it*: to which the K. answered, *He would have Twelve Judges of his Opinion*; and Sir *Thomas* replied, *He might have Twelve Judges of his Opinion, but would scarce find Twelve Lawyers of his Opinion*. The Truth of this I have only from Fame; but I'm sure the King's Practice in reforming the

the Judges, whereof all (except my Lord Chief Baron *Atkins*, and Justice *Powel*) were such a Pack as never before sat in *Westminster-Hall*, gave credit to it.

But if the Lord Chief Justice *Thorp*, for taking a Bribe of 100 l. was adjudged to be hanged, and all his Lands and Goods forfeited, in the Reign of *Edward* the 3d, because thereby as much as in him lay, he had broken the King's Oath made unto the People, which the King had intrusted him withal; and if Justice *Tresilian* was hanged, drawn and quartered, for giving his Judgment that the King might act contrary to one Act of Parliament; and if *Blake*, the King's Counsel, *Usk*, the Under-Sheriff of *Middlesex*, and five more of Quality, were hanged in the Reign of *Henry* the 4th for but assisting in *Tresilian's* Judgment; What then did these Judges deserve, which made Bargains with the King before-hand, to break the King's Oath he had made to the People, and entituled the King to a Power to subvert the Laws, and gave Judgment before-hand to act contrary to them? *Andrew Horn* in his *Mirror of Justice* tells us, That King *Alfred* (the Mirror of Kings) hanged *Darling*, *Segnor*, *Cadwine*, *Cole*, and 40 Judges more, because they judged in particular Causes contrary to Law: But sure this was not more to *Alfred's* Honour, than it was to the Dishonour of King *James*, to make Bargains before-hand with Judges, to give Judgment contrary to the Laws themselves; and unless they would break the King's Oath to his People, they should not be his Judges.

The Laws and Constitutions of this Nation, as has been already noted, make it a Kingdom, whereof the King is Head, and the Nation the Body; so that if you take away the Laws and Constitutions of the Kingdom, there is neither King nor Kingdom. Did not the King then descend from his Majesty, in rending himself from his Kingdom, by breaking Laws, whereby he ceases to be a King, and the Nation to be a Kingdom? And what was it for that the King would not be content with the Sovereignty he had over the Nation, wherein his Majesty consisted, but would strain it into a Tyranny over the Nation? It was to introduce a foreign exploded Dominion of the Pope, denied by our Saviour, and asserted by the Devil; whereby how absolute soever the King would be over his Subjects, yet himself and Kingdom must be at the Pope's Disposal, to be deposed and destroyed, as the Pope pleased.

Bishop *King* in the State of the Protestants in *Ireland*, fol. 18. gives this Account of one *Moore* a Romish Priest, who preached before the King at *Christ's-Church* in *Dublin*, in the Beginning of the Year 1690, where he told him to his Face, that he did not do Justice to the Church and Churchmen; and amongst other things said, That Kings ought to consult Churchmen in Temporal Affairs, the Clergy having a Temporal, as well as Spiritual Right in the Kingdom;

but Kings had nothing to do in the Management of Spiritual Affairs, but were to obey the Orders of the Church.

Thinking Men could not conceive this dispensing with the Penal Laws and Tests against Dissenters, was any ways intended in favour of the Protestants; for notwithstanding the Slaughter *Jeffries* had made of them in the *West*, the rest all over *England* were imprisoned, and forced to give Security for their good Behaviour. Nay, my Lord D. of *Albermarle*, who had done the K. so signal Service, in keeping the *Devonshire* Men from joining with the D. of *Monmouth*, must be sent out of *England* to *Jamaica*; and the Earl of *Pembroke*, and others, who had been so active in suppressing *Monmouth*, were scarce thanked, and but coldly entertained at Court.

If things were acted with this (indeed bare-fac'd) dissimulation in *England*, they were not less in *Ireland*; for the King having revoked the Duke of *Ormond* from his Lieutenantancy, and given *Talbot* an independent Commission, to make such a reform of the Army there, as is aforesaid, made my Lord *Clarendon* Deputy-Lieutenant, and Sir *Charles Porter* Chancellour, who arrived there the 10th of *January* 1682, with a Charge to declare that the King would preserve the Acts of Settlement and Explanation inviolable, and to assure all his Subjects, he would preserve these Acts as the *Magna Charta* of *Ireland*: but this Declaration compared with *Talbot's* reforming the Army in *Ireland*, seemed as strange, as that the King's dispensing with the Penal Laws and Tests, was in favour of the Protestant Dissenters in *England*.

In *Scotland* the King had so settled Affairs there, when he was Commissioner, that after the cutting off the Earl of *Argyle*, he did not doubt to carry on his Designs more bare-fac'd there than in *England* or *Ireland*; and therefore tho he did not call a Parliament till *April* 1686, yet in his Letter to them of the 12th he takes no Notice of the Protestant Dissenters, but recommends to them his innocent Roman Catholick Subjects, Who had with their Lives and Fortunes been always assistant to the Crown in the worst of Rebellions and Usurpations, tho they lay under Discouragements hardly to be named: These he heartily recommended to their Care, to the end, that as they have given good Experience of their true Loyalty, and peaceable Behaviour, so by their Assistance they may have the Protection of his Laws, and that Security under his Government, which others of his Subjects had; not suffering them to lie under Obligations which their Religion cannot admit of: by doing whereof they will give a Demonstration of the Duty and Affection they had to him, and do him most acceptable Service. This Love he expected they would shew to their Brethren, as they saw he was an indulgent Father to them all.

The King having settled his Prerogative in *Westminster-Hall*, by dispensing with the Penal Laws and Tests, in the Beginning of the Year 1686 granted a Commission of Ecclesiastical Affairs; but

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it was not opened to act till the 3d of August following: why it lay so long dormant I do not find, but only guess, that the King might the better settle his *Dispensing Power* in the Country, by such Judges as he had made, as well as in *Westminster-Hall*; and that he might be more at leisure to carry on the Design for surrender of Charters, (wherein one *Robert Brent*, a *Roman Catholick*, was a prime Agent) and great Care was taken, that the beggarly Corporations might surrender their Charters, and take new ones, without paying Fees: and if any should be so honest, as to insist upon their Oaths and Trust reposed in them, for Preservation of their Charters, to be prosecuted as riotous and seditious Persons. But in regard the Commission of *Ecclesiastical Affairs* was not printed that I can find, nor is in the *State Tracts*, I thought fit to insert it here, as I had it in Manuscript from a learned Hand.

JAMES the Second, by the Grace of God, King of England, Scotland, France and Ireland, Defender of the Faith, &c.
 To the most Reverend Father in God, our Right Trusty, and Right well-beloved Counsellor *William*, Lord Arch-Bishop of *Canterbury*, Primate of all England, and Metropolitan; and to Our Right Trusty and Right well-beloved Counsellor *George*, Lord *Jeffries*, Lord Chancellour of England; and to Our Right Trusty and Right well-beloved Cousin and Counsellor *Lawrence* Earl of *Rocheſter*, Lord High Treasurer of England; and to Our Right Trusty, and Right well-beloved Cousin and Counsellor *Robert*, Earl of *Sunderland*, President of Our Council, and Our Principal Secretary of State; and to the Right Reverend Father in God, and Our Right Trusty and well-beloved Counsellor *Nathaniel*, Lord Bishop of *Dureſme*; and to the Right Reverend Father in God, Our Right Trusty and well-beloved *Thomas*, Lord Bishop of *Rocheſter*; and to our Right Trusty and well-beloved Counsellor Sir *Edward Herbert*, Knight, Chief Justice of the *Pleas*, before us to be holden assigned, Greeting.
 We for divers good, weighty and necessary Causes and Considerations, Us hereunto especially moving, of our meer Motion, and certain Knowledg, by force and virtue of Our Supream Authority and Prerogative Royal, do assign, name and authorize by these our Letters Patents, under the Great Seal of England, you the said Arch Bp of *Canterbury*, Lord Chancellor of England, Lord High Treasurer of England, Lord President of Our Council, Lord Bishop of *Dureſme*, Lord Bishop of *Rocheſter*, and our Chief Justice aforesaid, or any three or more of you, whereof you the said Lord Chancellor to be one, from time to time, and at all times during our Pleasure, to exercise, use, occupy, and execute under us all manner of Jurisdiction, Privileges and Preeminences in any wise touching, or concerning any Spiritual or
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Ecclesiastical Jurisdictions within this our Realm of *England*, and
 Dominion of *Wales*; and to visit, reform, redress, order, cor-
 rect and amend all such Abuses, Offences, Contempts and Enor-
 mities whatsoever, which by the Spiritual or Ecclesiastical Laws
 of this Realm, can, or may be lawfully reformed, ordered, re-
 dressed, corrected, restrained or amended, to the Pleasure of Al-
 mighty God, and encrease of Vertue, and the Conservation of
 the Peace and Unity of this Realm. And we do hereby give
 and grant unto you, or any three or more of you, as is afore-
 said, whereof you the said Lord Chancellor to be one, thus by
 Us named, assigned, authorized and appointed, by force of Our
 Supream Authority and Prerogative Royal, full Power and Au-
 thority from time to time, and at all times, during Our Pleasure,
 under us, to exercise, use and execute all the Premises accord-
 ing to the Tenour and Effect of these our Letters Patents, any
 Matter or Cause to the contrary in any wise notwithstanding.
 And We do by these Presents give full Power and Authority unto
 you, or any three, or more of you, as is aforesaid, whereof you
 the Lord Chancellor to be one, by all lawful Ways or Means from
 time to time hereafter, during Our Pleasure, to enquire of all
 Offences, Contempts, Transgressions and Misdemeanours, done
 and committed, contrary to the Ecclesiastical Laws of this Our
 Realm, in any County, City, Borough, or other Place or Places,
 exempt or not exempt, within this our Realm of *England*, and
 Dominion of *Wales*, and of all and every the Offender or Offend-
 ers therein; and them and every of them, to order, correct, re-
 form and punish by Censure of the Church. And also We do give
 and grant full Power and Authority unto you, or any three, or
 more of you as is aforesaid, whereof you the said Lord Chancellor
 to be one, in like manner as is aforesaid, from time to time, and
 at all times during Our Pleasure, to inquire of, search out, and
 call before you all and every Ecclesiastical Person or Persons,
 of what Degree or Dignity soever, as shall offend in any of these
 Particulars before mentioned; and them and every of them to
 correct and punish for such their Misbehaviours and Misdemean-
 ours, by suspending, or depriving them from all Promotions Ecclesi-
 astical, and from all Functions in the Church, and to inflict such
 other Punishment or Censures upon them, according to the Ec-
 clesiastical Laws of this Realm. And further we do give full Pow-
 er and Authority unto you, or any three or more of you, as is a-
 foresaid, whereof you the said Lord Chancellor to be one, by vir-
 tue hereof, and in like manner and form as is aforesaid, to in-
 quire, hear, determine and punish all Incest, Adulteries, Fornica-
 tions, Outrages, Misbehaviours and Disorders in Marriage, and
 all other Grievances, and great Crimes or Offences which are pun-
 ishable or reformatable by the Ecclesiastical Laws of this Our
 Realm,

and Realm, committed or done, or hereafter to be committed or done, in any Place exempt or not exempt, within this Our Realm, according to the Tenor of the Ecclesiastical Laws in that Behalf; Granting you, or any three or more of you, as is aforesaid, whereof you the Lord Chancellor to be one, full Power and Authority to order and award such Punishment to every such Offender, by Censures of the Church, or other lawful Ways, as is aforesaid. And further, We do give full Power and Authority to you, or any three or more of you as aforesaid, whereof you the said Lord Chancellour to be one, to call before you or any three, or more of you as aforesaid, whereof you the said Lord Chancellor to be one, all, and every Offender, and Offenders, in any of the Premises; and all such as you, or any three, or more of you as is aforesaid, whereof you the said Lord Chancellor to be one, shall seem to be suspected Persons in any of the Premises which you shall object against them; and to proceed against them, and every of them, as the Nature and Quality of the Offence, or Suspicion in that Behalf shall require; and also to call all such Witnesses, or any other Person or Persons, that can inform you concerning any of the Premises, as you, or any three or more of you, as is aforesaid, whereof you the said Lord Chancellor to be one; and them, and every of them, to examine upon their Corporal Oaths for the better Trial and opening of the Truth of the Premises, or any Part thereof. And if you, or any three or more of you, as is aforesaid, whereof you the said Lord Chancellor to be one, shall find any Person or Persons whatsoever obstinate, or disobedient in their Appearance before you, or any three or more of you, as is aforesaid, whereof you the said Chancellor to be one, at your Calling and Commandments, or else in not obeying, or in not accomplishing your Orders, Decrees and Commandments, or any thing touching the Premises, or any Part thereof, or any other Branch or Clause contained in this Commission; that then you, or any three or more of you as aforesaid, whereof you the said Lord Chancellor to be one, shall have full Power and Authority to punish the same Person or Persons so offending, by Excommunication, Suspension, Deprivation, or other Censures Ecclesiastical: And when any Persons shall be convented, or prosecuted before you as aforesaid, for any of the Causes above expressed, at the Instance and Suit of any Person prosecuting the Offence in that Behalf, that then you, or any three or more of you as aforesaid, whereof you the said Lord Chancellor to be one, shall have full Power and Authority to award such Costs and Expences of the Suit, as well to and against the Party as shall prefer or prosecute the said Offence, as to and against the Party, or Parties that shall be convented, according as their Causes shall require, and to you in Justice

Justice shall be thought reasonable. And further, Our Will and Pleasure is, That you assume our well-beloved Subject *William Bridgman*, Esquire, one of the Clerks of our Council, or his sufficient Deputy or Deputies in that behalf, to be your Register, whom we do by these Presents depute to that effect, for the registering of all your Acts, Decrees, and Proceedings by virtue of this our Commission; and that in like manner, you, or any three or more of you, whereof you the said Lord Chancellor to be one, by your Discretions shall appoint one or more Messenger or Messengers, and other Officer or Officers necessary and convenient to attend upon you for any Service in this behalf. Our Will and express Commandment also is, That there shall be two Paper-Books indented and made, the one to remain with the said Register, or his sufficient Deputy or Deputies, the other with such Persons, and in such Places, as you the said Commissioners, or any three or more of you, whereof you the said Lord Chancellor to be one, shall in your Discretion think most fit and meet; in both which Books shall be fairly enter'd all the Acts, Decrees, and Proceedings, made or to be made, by virtue of this Commission. And whereas our Universities of *Oxford* and *Cambridge*, and divers Cathedral and Collegiate Churches, Colleges, Grammar Schools, and other Ecclesiastical Incorporations have been erected, founded, and endowed by several of our Royal Progenitors, Kings and Queens of this Realm, and some others, by the Charity and Bounty of some of their Subjects, as well within our Universities as other Parts and Places, the Ordinance, Rules, and Statutes whereof are either embezeled, lost, corrupted, or altogether imperfect; We do therefore give a full Power and Authority to you, or any five or more of you, of whom we will you the afore-named Lord Chancellor always to be one, to cause and command, in our Name, all and singular the Ordinances, Rules and Statutes of our Universities, and all and every Cathedral, and Collegiate Churches, Colleges, Grammar-Schools, and other Ecclesiastical Incorporations, together with their several Letters Patents, and other Writings, touching or in any wise concerning the several Erections and Foundations, to be brought and exhibited before you, or any five or more of you as is aforesaid, whereof you the said Lord Chancellor to be one, willing, commanding, and authorizing you, or any five or more of you, as aforesaid, whereof you the said Lord Chancellor to be one, upon the exhibiting, and upon diligent and deliberate View, Search, and Examination of the said Statutes, Rules, and Ordinances, Letters Patents, and Writings, as is aforesaid, the same to correct, amend, and alter. And also, where no Statutes are extant in all or any of the aforesaid Cases, to devise and set down such good Orders and Statutes, as you, or any five or more of you, as

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' is aforesaid, whereof you the said Lord Chancellor to be one, shall
' think meet and convenient to be by us confirmed, ratified, allow-
' ed, and set forth for the better Order and Rule of the said Uni-
' versities, Cathedrals, and Collegiate Churches, Colleges, and
' Grammar-Schools, Erections and Foundations, and the Possessions
' and Revenues of the same, as may best tend to the Honour of
' Almighty God, Encrease of Vertue, Learning, and Unity in the
' said Places, and the publick Weal and Tranquillity of this our
' Realm. Moreover, our Will, Pleasure, and Commandment is,
' That our said Commissioners, and every of you, shall diligently
' and faithfully execute this our Commission, and every Part and
' Branch thereof, in manner and form aforesaid, and according to
' the true Meaning hereof, notwithstanding any Appellation, Pro-
' vocation, Privilege, or Exemption, in that behalf to be made, pre-
' tended, or alledged by any Person or Persons, resident or dwel-
' ling in any Place or Places, exempt or not exempt, within this
' our Realm, any Law, Statutes, Proclamations, or Grants, Privileges,
' or Ordinances, which be or may seem to be contrary to the Pre-
' mises, notwithstanding. And for the better Credit, and more ma-
' nifest Notice of your doing in Execution of this our Commis-
' sion, our Pleasure and Commandment is, That to your Letters mis-
' sive, Processess, Decrees, Orders and Judgments, for or by you, or
' any three or more of you, as is aforesaid, to be awarded, sent forth,
' had, made, decreed, given, or pronounced, at such certain publick
' Places as shall be appointed by you, or any three or more of you
' as is aforesaid, for the due Execution of this our Commission,
' you, or some three or more of you, as is aforesaid, whereof you
' the said Chancellor to be one, shall cause to be put and fixt a Seal,
' engraven with the *Rose and Crown*, and the Letter *J.* and Figure 2.
' before, and the Letter *R.* after the same, with a Ring or Circum-
' ference about the same Seal, containing as followeth, *Sigillum*
' *Commissariorum Regie Majestatis ad Causas Ecclesiasticas*. Final-
' ly, We will and command all and singular other our Ministers and
' Subjects, in all and every place and places, exempt and not ex-
' empt, within our Realm of *England* and Dominion of *Wales*, up-
' on any Knowledge or Request from you, or any three or more of
' you, as is aforesaid, to them or any of them given or made, to be
' aiding, helping, and assisting unto you and to your Command-
' ment, in and for the due executing your Precepts, Letters, and
' other Processess requisite, in and for the due executing of this our
' Commission, as they and every of them tender our Pleasure and
' Will to answer the contrary at their utmost Perils. In witness, &c.

Here I make these Remarks upon this Commission: First, That
the Archbishop of *Canterbury*, who was first named in it, refused
to act in it; so the Bishop of *Chester* was put in, tho not in the
first place. Secondly, How unwarily it was drawn; for though I

believe every one understands the Design of this Commission was to introduce a *Roman Hierarchy*, which assumes a Power over the *temporal* in order to the *spiritual* Good; yet here this Commission grants the *temporal Power*, (*viz.* the Chancellor, and any other two, *viz.* my Lord Treasurer, President, or Chief Justice) a Power of Excommunication, which is a pure *spiritual* Act. But whilst this Commission was thus in *Embryo*, 'tis fit to observe what was done before its coming into Act.

You have heard how severely *Oates* was treated for discovering the *Popish Plot*, *Thomas Dangerfield's* turn comes now to be as severely treated, but with a worse Fate, for discovering the *Meal-tub Plot*, which was to have thrown the *Popish Plot* upon the *Presbyterians*.

Dangerfield in his Depositions before the Parliament had revealed that he was employed by the *Popish Party* (chiefly by the Lords in the *Tower*, and Countess of *Powis*) to kill the King, and was encouraged, and promised Impunity and Reward, and part of it given him by the Duke of *Tork* for that end: Upon this he was tried in *Westminster-Hall*, in *Trinity*, I think, or *Easter-Term*, in 1686, upon a *Scandalum Magnatum*, and as *Juries* went, was found Guilty, and had the same Sentence of Whipping which *Oates* had, and in his return from his Whipping from *Tyburn* towards *Newgate*, was run into the Eye with a Tuck at the end of a Cane, by one *Robert Francis* (a fierce Papist) of which, with the Agony of his Whipping, he soon after died; but his Body was so swollen and martyr'd with his Whipping, that 'twas a question whether he died of the Whipping, or Wound in his Eye. You may read the Information at large, which was ordered to be printed by the Commons, *Novem. 10. 1680.* and after the Speaker *Williams* was fined 10000 *l.* for Licensing it (tho by Order of the Commons) to be printed.

The same Term (I think) Mr. *Samuel Johnson*, (commonly known by the Name of *Julian Johnson*) was sentenced by the Court of *King's Bench*, (Sir *Edward Herbert* Chief Justice) to stand three times in the Pillory, and to be whipped from *Newgate* to *Tyburn*, which was severely executed, for making this humble and hearty Address to all the *English* Protestants in the Army raised by the King.

Gentlemen,

NEXT to the Duty we owe to God, which ought to be the principal Care of Men of your Profession, (especially because you carry your Lives in your Hand, and often look Death in the Face) the second thing which deserves your Consideration, is the Service of your Native Country, wherein you drew your first Breath, and breathe a free *English* Air. Now I desire you to consider how well you comply with these two main Points, by engaging in the present Service.

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Is it in the Name of God for his Service, that you have joined your selves with Papists? who indeed will fight for the Mass Book, but burn the Bible, and who seek to extirpate the Protestant Religion with your Swords, because they cannot do it with their own? And will you be aiding and assisting to set up Mass-Houses, to erect that Kingdom of Darkness and Desolation amongst us, and to train up all our Children in Popery? How can you do these things, and call your selves Protestants?

And then what Service can be done your Country, by being under the Command of French and Irish Papists, and by bringing the Nation under a foreign Yoke? Will you help them to make forcible Entry into the Houses of your Countrymen, under the Name of Quartering, contrary to Magna Charta, and Petition of Right? Will you be aiding and assisting to all the Murders and Outrages, which they shall commit by their woid Commissions? which were declared Illegal, and sufficiently blasted by both Houses of Parliament, (if there had been any need of it) for it was very well known before, that a Papist cannot have a Commission, but by Law is utterly disabled and disarmed. Will you exchange your Birth-right of English Laws and Liberties, for Martial and Club-Law, and help to destroy all others, only to be eaten up at last your selves? If I know you well, as you are English Men, you hate and scorn these things. And therefore be not unequally yoked with idolatrous and bloody Papists: Be valiant for the Truth, and shew your selves Men.

The same Considerations are likewise humbly offered to all English Seamen, who have been the Bulwark of this Nation against Popery and Slavery, ever since 88.

The first Lightning, which the dormant Commission of Ecclesiastical Affairs produced, fell upon the Bishop of London, a Person of Exemplary Vertue and Loyalty, and who, besides the Nobility of his Birth, had his Father slain in the late Civil Wars, in defence of the King's Father's Cause, and had himself, and all his Brothers, freely and valiantly exposed their Lives in defence of it: The Crime alledged against him was, that by the King's Letter he did not suspend Doctor Sharp (then Dean of Norwich, now Archbishop of York) for preaching a Sermon against the Frauds and Corruptions of the Church of Rome, by a Power as Arbitrary, as that by which the Commissioners acted; and for this these Commissioners suspended the Bishop, tho every one understood the true Cause was the Bishop's Motion in the House of Lords to have debated the King's Speech. *Tantum Religio potuit suadere malorum.*

I'm perswaded King Charles the II. to make a Roman Hierarchy in Scotland, made the Bishops out of the most obnoxious of the Clergy, who besides their profligate Lives, run the King's Prerogative there to a higher pitch, than Land in the King's Father's time did in England: And that towards the latter end of his Reign he laid the same design here; for the Bishopricks of Oxford, York, St. David's

St. David's and Chester, becoming void about the latter end of his Reign, or beginning of King James's, (I'll not name the Bishoprick of Litchfield and Coventry, for the Petticoat governed in that Election) Dr. Samuel Parker (whom Mr. Marvel in his Rehearsal transposed calls Bays) a Man of a virulent Disposition, and who by railing against the Church got into Preferment, and when he was in, became a zealous Railer against them without, was made Bishop of Oxford; Dr. Cartright, (as high for the Prerogative as Parker) was made Bishop of Chester: and the Succession to these two Bishopricks was the more observable, because Parker succeeded Dr. Fell, and Cartright Dr. Peirson, Men of Piety and Learning, equal to any in their time: and one Watson (an obscure Man) was made Bishop of St. David's; but the Archbishoprick of York was reserved for a Person of another Temper, whom these Bishops were making way for.

The Presidentship of Magdalen College in Oxford becoming void, and the Fellows fearing a *Mandamus* would be imposed upon them for some Person not qualified by the Statutes, and whom by their Oaths they could not submit to, chose Dr. Hough for President, a Person qualified by their Statutes for that Place.

As the Fellows feared, so it came to pass; for the King sent them a peremptory *Mandamus* to chuse the Bishop of Oxford (Bays) their President; but he being a Person not qualified by the Statutes of their College, which the Fellows were sworn to observe, they in a humble Answer excused themselves, as being otherways obliged, as well by their Oath as Statutes. I will not repeat the Anger the King express'd hereupon, 'tis in Print; but sure such Language was never used by any Prince before.

But if the King's harsh Language will not work the Fellows to his Will, he will send the Commissioners of Ecclesiastical Affairs among them to turn them out of their Fellowships, (wherein they had as much Property, as any other had to any real or personal Estate) nor shall these Commissioners stay here, but by a new strain of Tyranny, never practised but by Absolute Tyrants, they make the Fellows incapable of any other Ecclesiastical Preferments.

The Fellows thus expelled, the Statutes of the College are thrown out of Doors, to make room for a Seminary of Jesuits and Popish Priests, as much tending to the Subversion of the established Church of England, as the Statutes of the College.

But see how God in his Providence blasted these things; for the Bishop of Oxford had scarce taken possession of his thus new-acquired Presidentship, when he died; and you'll soon see the Fellows restored again in spite of these Commissioners, and Dr. Hough made Bishop of Oxford, as well as President of Magdalen College.

If the King were zealous in advancing his *Prerogative Royal* both in the Church and State of *England*, he will not be less in *Scotland*; whereupon the 12th of *February* 1687. he issues out his Proclamation for *Toleration of Religion*, (which you may read in the *State Tracts*) wherein he asserts his *Absolute Power*, which he says, his Subjects ought to obey without reserve.

But the Toleration which the King allows his *Roman Catholick* Subjects in *Scotland*, he'll scarce permit to his Protestant Subjects in *Ireland*; for *Tyrconnel* (for so has *Talbot* merited for his Service in Reforming the Army) is not only made an Earl, but Lord Lieutenant of *Ireland*, in the room of my Lord *Clarendon*, and one *Fitton* (made *Sir Alexander*, an infamous Person, detected for Forgery, not only at *Westminster*, but at *Chester*, and fined in the House of Lords) was brought out of the *King's Bench* in *England*, to be Chancellor and Keeper of the King's Conscience in *Ireland*, in place of *Sir Charles Porter*.

The first Proclamation which *Tyrconnel* issued out was dated *Feb.* 1687. wherein he promised to defend the *Laws, Liberties*, and established Religion, but leaves out the preservation of the *Acts of Settlement and Explanation*: But tho at first he only left out the *Acts of Settlement and Explanation*, being resolved first to out the Protestants, and let the *Irish* into their forfeited Estates, yet did he not stay here; and *Bishop King* in his *Treatise of the State of the Protestants* in *Ireland*, gives so particular and methodical an Account how he proceeded in the destroying the Church and State of *Ireland*, as by Law established, that I refer the Reader to it, not intending to lessen it by taking parts of it.

When the Judges had been above a Year propagating the King's Power in *Westminster-Hall*, and in their Circuits, of dispensing with the *Penal Laws and Tests* against Dissenters from the Church, upon the 25th of *April* 1687, out comes the King's Declaration to all his Subjects for *Liberty of Conscience*, wherein the King declares, That it had been a long time his constant Sense and Opinion, that Conscience ought not to be restrained, nor People forced in Matters of meer Religion; and that it was contrary to his Inclination, as he thought it to be the disinterest of the Government, by spoiling Trade, and depopulating Countries, &c.

Sure no Prince ever acted so in Extreame, yet his Actions so diametrically opposite to his Profession. Here you see a Jesuited Prince pleading for *Liberty of Conscience*, to the breaking down the *Laws*, which before he had so often professed to maintain; and for such a sort of Men, whom but little before he had slaughter'd, banished and imprisoned, as if he had designed to extirpate the whole Race of them. If to reconcile these to Truth, or Rectitude, be not as great a Miracle, as is in any of the *Popish Legends*, I'll believe them all, and be reconciled to the *Roman*

Catholick Church, how inconsistent soever the Terms be.

The generality of the Protestant Dissenters having for near seven years together, been so severely treated by the *Tories*, were as forward to congratulate the King for his Indulgence in manifold Adresses, as the *Tories* were in King *Charles* his time, in their Adresses of Abhorrence to petition the King to call a Parliament to settle the Grievances of the Nation: However this Declaration was so drawn in the sight of every Bird, that (of my knowledg) many of the sober thinking Men of the Dissenters, did both dread and detest it.

That this Declaration might be more passable, *Popish* Judges were made in *Westminster-Hall*, and *Popish* Justices of the Peace, and Deputy-Lieutenants all *England* over; the Privy Council was replenished with *Popish* Privy Counsellors; the *Savoy* was laid open to instruct Youth in the *Romish* Religion, and *Popish* Principles; and Schools for that purpose were encouraged in *London*, and all other Places in *England*: Four Foreign *Popish* Bishops, as *Vicars Apostolical*, were allowed in Ecclesiastical Jurisdiction all *England* and *Wales* over.

From instructing the *St. Omers* Boys how to behave themselves in their Evidence to prove *Oates* was at *St. Omers* all *April* and *May* in 1678, my Lord *Cajlemain* is sent Ambassador to the Pope, to render the King's Obedience to the *Holy* and *Apostolical* See, with great hopes of extirpating the Northern pestilent *Herefy*. In return whereof, the Pope sent his *Nuncio* to give the King his *Holy Benediction*; yet I do not find that he beforehand sent for Leave to enter the Kingdom, as was observed by Queen *Mary*, *Henry VIII*, and before.

The Judges in their Circuits had their private Instructions, to know how Men were affected with the King's *Dispensing Power*; and those who were disaffected to it, were turned out from the Lieutenantancy and Commission of the Peace.

Justice, Judgment, and Righteousness support the Thrones of Princes, but these were Strangers to this King's ways, other Means must be found out to support and carry them through; a standing Army is judged the best Expedient: and as the King told the Parliament at their second Meeting, he had encreased his Army to double what it was before, so he made his Word good, that he would employ Men in it not qualified by the late *Tests*; and to this end, *Tyrconnel* having disbanded the *English* Army in *Ireland*, qualified by the *Tests*, sends over an Army of *Irish* not qualified by the *Tests*, to encrease the Army in *England*.

This Army thus raised against Law, committed all manner of lawless Insolencies, though the King by several Orders would have had their Quarters restrained to Victualling-Houses, Houses of publick Entertainments, and such as had Licences to sell Wine and other

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And though the King had no other Wars, but against the Laws and Constitutions of the Nation, yet he would have the Act of the 1, 2 *Edw. 6. 2.* which makes it Felony, without Benefit of the Clergy, for any Souldier taking Pay in the King's Service, in his Wars beyond Sea, or upon Sea, or in *Scotland*, to desert from his Officer, to extend to this Army thus raised by the King: And because the Recorder of *London*, Sir *J. H.* would not expound this Law to the King's Design, he was put out of his Place, and so was Sir *Edward Herbert* from being Chief Justice of the *King's Bench*, to make room for Sir *Robert Wright*, to hang a poor Souldier upon this Statute; and afterward this Statute did the Work without any further dispute.

Thus this Prince did not only assume a Power to controul the Laws of the Nation at his pleasure in Civil Affairs, but when he pleased made them bend to his Will to establish an illegal Army, and countenance the Effusion of Christian Blood: but you'll soon see God will blast these ungodly Ways; and that not the Arm of Flesh, but Judgment, Justice and Righteousness, establish the Thrones of Princes.

Thus Affairs stood in *England*, *Scotland* and *Ireland* in the year 1687. wherein I suppose no History mentions so great and violent Alterations in so little time, as in this King's Reign, all tending to introduce a Foreign Power, and to enslave the Nation, yet so patiently endured by it; but the Dangers of these Designs were not circumscribed within the bounds of this Nation, but extended into *France*, where for above twenty years, a Conspiracy was carried on for promoting these Designs thus far advanced; so that the Year 1688 had a much more terrible Aspect upon *England*, than the Year 1588 had, when *Philip* the II. designed the Conquest of it: for then the Nation was firm and intire for its own Interest; whereas this Year it was not only torn in pieces by internal Discords, but had an Army and Fleet designed to join with the *French* King, in propagating his boundless Ambition, not only upon *England*, but upon the Empire of *Germany*, *Spain*, *Holland*, the Duke of *Savoy*, and other Princes of *Italy*.

About the beginning of the year 1688, a Gentleman of High Jesuited Principles told me, The States of *Holland* were Rebels against the King of *Spain*, and that I should soon see the King of *France* would call them to an Account for it, and humble them; and that the *French* King would assist our King with Men of War. I took more heed to this, because I knew that he was frequently visited by several Jesuits, in whose Counsels I believe the *French* King's Designs this Year were locked up; for my Lord of *Sunderland* in his Letter, recited in the History of the Desertion, fol. 32.

protests he knew nothing of a League between the Kings; yet you will see it come out another way. But my Lord of *Sunderland* says, that the *French Ships* were offered to join with our Fleet, which was refused; however this shews there was a Design contriving by these Princes; yet at present the Affairs of *France* seemed to look another way, and a *French Fleet* and Souldiers in them are sent to *Canada*; the Design and Success you will soon hear of.

The King having thus, as he thought, laid a Foundation (tho it proved a very Sandy one) of his Designs; and to shew how Absolute he would be in them, upon the 4th of *May* passed an Order in Council, that his Declaration of *Indulgence* should be read in all Churches and Chappels in *England* and *Wales* in time of Divine Service, and that all the Bishops in their respective Diocesses should take care to have this done accordingly.

The Bishops who knew the Declaration of *Indulgence* was designed to conjoin the Protestant Dissenters with the Popish, to ruin the Established Church, easily foresaw that the Order to them was to pick a Quarrel with them; for the King might have ordered it to be read without, as well as by them: And, besides the Injustice of it, it was deemed an undecent thing, that the Fathers of the Church, in time of Divine Service, should be the Instruments to give a Liberty to all whether they should come to Divine Service or not.

Besides the Bishop of *London*, who stood suspended, these Bishops, viz. the Archbishop of *Canterbury*, the Bishops of *Bath* and *Wells*, *Ely*, *Peterborough*, *Chichester*, *St. Asaph*, and *Bristol*, were in or about the Town; and this Order of Reading the Declaration in Churches was served upon them.

The Bishops in a humble Petition to the King gave their Reasons in Writing, (but so cautiously, that after it was drawn up, they would let no other Man see it before they presented it) why they could not comply with the Order of Council.

The Chancellor, tho he thought his Commission big enough to suspend the Bishop of *London*, and Vice-Chancellor of *Cambridg*, and expel the Master and Fellows of *Magdalen College* in *Oxford*, yet it seems did not think it sufficient to suspend these Bishops, and therefore advised the King ('twas said) to try them upon an Information of *High Misdemeanour* in the King's Bench; and in order to it they were committed Prisoners to the *Tower*.

Accordingly the Bishops were tried in the King's Bench in *Trinity Term* following, upon an Information of *High Misdemeanour*, for their Petition to the King: but how secure soever the King and Chancellor thought themselves of the Judges, and tho Sir *Robert Wright*, who was Chief Justice, and Sir *Richard Allibone* (a known Papist) were two of them, yet they were not all of a Piece, for Mr. Justice *Powel* both learnedly and stoutly defended the Bishops Cause.

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If we look down to the Bar, we shall see as strange a mixture as in the Bench; for the late Attorney-General *Sawyer*, and Solicitor *Finch*, who were so zealous to find my Lord *Russel*, Colonel *Sidney*, and Mr. *Cornish*, &c. guilty of High Treason, and for Surrender of Charters, now they are turned out, are as zealous for the acquittal of the Bishops; and the then Solicitor-General, of a most zealous Prosecutor of Abhorrrers, and Searcher into the bottom of the *Popish Plot*, as zealous for finding their Misdemeanour. However the Jury acquitted the Bishops.

Unless it were when *Monk* came into the City the 12th of February, 1688. and Colonel *Cloberry* told the Citizens at *Guild-Hall* they should have a free Parliament, or when King *Charles* came into *London* the 29th of May following, never were such loud Acclamations of Joy exprest, as upon the Acquittal of the Bishops; nor did the Bounds of the City terminate this Joy, but it flew like Lightning to *Hounslow Heath*, where the King would be present to see the Army exercised, wherein he trusted (more than in Justice and Righteousness) to accomplish his Design: It seems the King was treated that Day by my Lord of *Feverham* (General of the Army) in his Tent, when the News of the Bishops Acquittal arrived at the Army, which entertained it with a general Shout; the King ('twas said) was startled at it, and sent the Earl to enquire the Cause; the Earl in return told the King, 'twas nothing but the Soldiers Joy for the Acquittal of the Bishops: And call you that nothing? replied the King, who was much discomposed upon it; and well he might, for now he saw how little Confidence was to be imposed in the Army he so much relied upon.

It's a Duty incumbent upon Mankind, to honour and worship God, and give him Thanks for the Benefits received from him, and to petition and pray to him for continuance of them: Next after God, it's the Duty of all Subjects to honour the King, for the Benefits they receive by his Justice and Protection, and to petition and pray Relief from him for Oppressions and Injuries, which cannot be redressed by the ordinary Course of Law, or where the Ministers of the Law either cannot, or refuse to do Justice.

It's therefore the Wisdom of our Constitution, that Parliaments frequently meet, not only to receive Petitions against Oppressions or Injuries received, which were not or could not be redressed by the King's Ministers of the Law, but also to correct and punish the King's Ministers themselves, if they transgressed or neglected their Duty.

But tho frequent Parliaments are the most proper Expedients for the Subjects herein, yet oftentimes Accidents may be, which will not stay for relief by Parliament, as in Case of the Bishops. In May they are ordered to have the King's Declaration of Indulgence read in all Churches and Chappels of their respective Diocesses;

and to do it, and to give no Reasons why they could not do it, would have been a manifest Contempt of the King's Authority; they could not do it either in Honour or Conscience; and by an humble Petition and Address, represent this to the King; and for ought appeared then, the King never intended to call another Parliament, till he had modelled them as much to his Will, as *Cromwel* did Praise-God Barebone's Parliament.

This Petition is made a *High Misdemeanour*, and the Bishops committed upon it, and Father *Petre*, the Club of *Jesuits*, the Attorney and Solicitor-General, *Graham*, *Burton*, &c. are all plotting how to make it so: So as now the Kingdom is without all hopes of a free Parliament, and yet it is a *High Misdemeanour* to address to, or petition the King.

And that this Order upon the Bishops to enjoin the Reading of the King's Declaration for *Indulgence*, was a Design upon their Persons, as well as upon the Church, is apparent; for after their Acquittal, Orders from the Commissioners of *Ecclesiastical Affairs* were sent into all parts of *England*, to return an Account to the Lord Chancellor, of those that refused to read the Declaration of *Indulgence*, that they might be proceeded against for their Contempt: but the Reign and Rage of these Commissioners was too hot to last long; and now let's see what return of Praises and Thanksgivings the Bishops can make to God for their Deliverance.

God requires Truth in the inward Parts, and that it should govern all the Intentions, Speech and Actions of every Man, in his Conversation with Man, yet more in his Prayers and Petitions to God; and if it be an High Crime of Hypocrisy to speak or act contrary to a Man's Knowledge or Belief, for the end designed thereby is to deceive another, though God cannot be deceived, it's a greater Crime to approach his Omniscience with Prayers and Petitions contrary to a Man's certain Knowledge or firm Belief.

I take it for granted, that the Bishops understood the King's Declaration of *Indulgence* was an unlawful Act, and that if they had submitted to the King's Will to have enjoined it to have been read in all Churches and Chappels of their respective Diocesses, it had been an unlawful Act, which was one Reason they could not comply with the King's Will; and that this Declaration was not intended a Favour to the *Protestant Dissenters*, but a Design to ruin the established Religion, and Church of *England*; and the enjoining the Bishops to have it read; was a Design upon their Persons, as well as the Declaration was upon the Church; and that the King professed himself to be of the Popish Religion, which they believed and declared to be Idolatry, in the worshipping Images, and derogatory to God's Honour by Invocation of Saints, whereby they grant to Creatures an Omniscience, which is inseparable from God

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God, and only to be ascribed to him; and that the King had owned the *Papal Power*, (which not only claims a Dominion over all Kings and Kingdoms to be at the Pope's disposal, and who had declared the Church of *England* to be Heretical, Schismatical and Sacrilegious Persons, with whom no Faith is to be kept, but had assumed a Power equal or superiour to God himself, in dispensing with God's Laws, and setting its own above them) by sending his Ambassador to the Pope, and receiving his *Nuncio*.

With what Conscience then could the Bishops approach God's Altars in their highest Acts of Devotion, and in the Prayer for the Parliament, declare to God that he is their most religious King; and in the *Litany* to pray to God to keep and strengthen the King in the Worship of God, or Religion which the King profest?

And how could they delare to God, he is their most gracious Sovereign, when he had imprisoned them for not submitting to his unlawful Will, and had owned a Power which had declared them Hereticks, Schismaticks, and Sacrilegious Persons; who were by all ways and means to be extirpated from the Face of the Earth? Yet the Bishops by their Canonical Obedience were as much obliged hereto, and to enjoin the Clergy in their respective Diocesses to offer these Praises to God, as they were not to obey the King's Will by enjoining the King's Declaration of *Indulgence* to be read by all the Clergy in their Diocesses. To this *Dilemma* had the flattering Church and State in King *Charles* the II's Reign (tho intending it against the *Presbyterians*) by their Act of *Uniformity*, brought the Church and State too in the Reign of King *James*.

But lest this establishing of *Popery* should have no longer support than in the King's Life, a new Miracle is to be added to the Legend; for the next day after the Bishops were committed to the *Tower*, the Queen was brought to Bed of a Prince of *Wales*: so that now they had got a Prince of *Wales*, and the Queen received the Consecrated Clouts, and the Pope by his *Nuncio* is become God-father, a Foundation so infallible is laid for exalting the Papal Chair, and extirpating the Pestilent Northern Heresy, that it's Heresy to doubt it.

But Man purposes, and God disposes; and in truth, without God's special Assistance, not only these Dominions of *England*, *Scotland* and *Ireland*, but all the Western Parts of *Europe*, were not to be retrieved out of (I may say) even a desperate State; for in *England* the King had a standing Army of above 20000 Men, and the *Whigs* were but too forward to congratulate the King in his Designs, and in humouring him, in giving him up their Charters, as the *Tories* in King *Charles* his Reign, in their Abhorrences of the King's calling a Parliament, and as forward then, as the *Whigs* now in surrendering their Charters: The Protestant Army in *Ireland* not only disbanded by *Tyrconnel*, and a Popish Army set up,

but the Protestants disarmed; and *Scotland* so perfectly subdued, that there the King's *Absolute Will* without reserve, must pass for Law: The King of *Spain* so weak, as not able to defend himself, much less relieve others; the Empire engaged in a War against the *Turks* in the *East*, so as the Western Parts were in no Condition to repel the Impression the *French* should make upon it: The Kingdoms of *Sweden* and *Denmark* remote, and at such natural Enmity with one another, that if one should side with *France* or *England*, the other would engage against it; and tho' *Holland* were considerable elsewhere at Sea, yet their Strength at Sea was inferior to the *English*, but much more in Conjunction of the *French* with the *English*.

However something must be done, for Modesty in this State had been the highest Crime; and of all Foreign Princes, the Prince of *Orange* was most immediately concerned, not only in the Oppression of the *French* King upon his Principality of *Orange*, and the Dangers which threatened the *United Provinces*, by the swelling Grandeur of the *French*, but by the King's Arbitrary Proceedings in *England*; for the Princess was the Presumptive Heir to the Crown of *England* and *Scotland*. And since it is the Laws and Constitutions which erect these Nations into Kingdoms, whereof the King is the Head, then if the King destroys the Laws and Constitutions, he is neither King, nor the Princess of *Orange* Presumptive Heir to them; besides, since the King had assumed a Power of Dispensing with the Laws, he might as well in Dispensing with the Succession; and the Prince was well assured, neither those about the King, nor the Pope, would much favour his, or his Lady's Title to the Crown; nor was the introducing the Prince of *Wales* into the World intended, to have either the Prince or Princess come to the Crown of *England*.

The Prince of *Orange* thus injured by both these Kings, and being denied the Benefit of any Humane Laws, for redress has recourse to God and his Sword for relief, and opposes the Justice of his Cause against the Potency of his Adversaries: Nor does he take up his Sword to vindicate his own Rights only, but for restoring the Kingdoms of *England*, *Scotland* and *Ireland*, to their ancient Rights, Laws and Privileges invaded by King *James*, and to put a stop to the *French* King's boundless Ambition and Tyranny, in Murdering, Ravaging and Destroying, rather than making a War upon all his neighbouring Princes, not dispossessing and ruined by him. A Design so great, by so little a Prince, as no less than a Divine Power could inspire him to such an Undertaking!

The Prince these two last years had several Conferences with the Electors of *Brandenburg*, *Saxony*, and the Princes of the House of *Lunenbourg*, and other Princes of *Germany*, it's believed in concerting Measures how to behave themselves against the Designs of these

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these two Kings; but the Results were so secret, that I find no mention of them.

But how secret soever these Results were, yet the Preparations to put them in Execution could be no Secret, especially the Naval Preparations by Sea; though the Dutch Ambassador assured the King, they were not intended against him, yet refused to communicate the Design.

At this time there was not only a high Ferment in all the Nation against the King's Proceedings, but in the Army against its mixture with Irish Officers and Soldiers; which put the King into a great Agony, which was increased by the Dutch Preparation: Whereupon the Marquess d'Albeville, the King's Envoy at the Hague, upon the 2d of Sept. N. S. 23d of Aug. O. S. put in this Memorial to the States General.

High and Mighty Lords,

THE great and surprizing Preparations for War, made by your Lordships by Sea and Land, in a Season when all Action, especially by Sea, is laid aside, giving just Cause of Surprize and Alarm to all Europe, obliges the King my Master, who has had nothing so much in his Mind, since his Accession to the Crown, as a Continuation of the Peace and Correspondence with this State, to order the Marquess d'Albeville, his Envoy Extraordinary, to know your Highnesses Intentions thereby.

His Majesty, as your antient Ally and Confederate, believes it just to demand this Knowledge, which he hoped with good Reason to have heard from your Ambassador; but as he sees this Duty of Alliance and Confederation neglected, and that such Power is raising without communicating the Intent in the least to him, he finds himself obliged to reinforce his Fleet, and to put himself in a Condition to maintain the Peace of Christendom.

The States paused upon an Answer to this Memorial, when upon the 9th of September, N. S. or the 30th of Aug. O. S. Monsieur d'Avaux, the French Ambassador, put in a Memorial to the States, wherein he foolishly discovers the Contrivances which had been so long hatching between his Master and King James; for after a long Story of his Master's Desire of maintaining the Peace of Europe, now he had actually broke it, he impertinently tells the States,

All these Circumstances, and many others, that I may not here produce, perswade the King my Master, with reason, that this Arming threatens England. Wherefore His Majesty hath commanded me to declare to the States, on his Part, that the Bonds of Friendship and Alliance between him and the King of Great Britain, will oblige him (the French King) not only to assist him, (the King of Great Britain)

rain) but also to look on the first Act of Hostility that shall be committed by your Troops, and your Fleet, against his Majesty of Great Britain, as a manifest Rupture of the Peace, and a Breach with his Crown.

Though the Dutch made no Answer to this Memorial, yet they made no Bones to make this Answer to the Marquess d' Albeville's: That they had armed in Imitation of his Britannick Majesty, and other Princes, and that they had thereby given no just Cause of Offence by arming, when all other Princes were in Motion; and that they were long since convinced of the Alliance which the King, his Master, had treated with France, and what had been mentioned to them by Monsieur le Count d' Avaux in his Memorial.

This Answer King James took all one, as if the Dutch had declared War against him; and all the Eyes of England are now turned toward Holland, as if from thence they expected Deliverance from the Designs of King James, and his Popish Crew; and the Fathers and Sons too of the Church of England, are at as much Variance in their private and publick Prayers to God, as *Whig* and *Tory* were in their Humours; for in their private Prayers they pray for Prosperity to the Prince of Orange, and in the Liturgy they pray that God would be King James's Defender and Keeper, giving him Victory over all his Enemies.

God was pleased to prefer the private Prayers of the Churchmen before those of the Church, and to have granted both, had been impossible, and to put a hook into the French King's Nose, who turned those Forces which he had raised (not for the Peace and Tranquillity of Europe, as d' Avaux said in his Memorial to the Dutch States) upon the Empire, where without any Declaration of War, or Cause alledged, he first fell upon *Philipsburg*, which he took, and after *Heydelberg* and *Mainheim*; and while he was thus engaged, he left the Prince of Orange free to vindicate his Cause against King James: whereas if the French King had turned those Forces which he employed against the Empire upon the Spanish Netherlands, (and he might as justly have done this as that) the Prince of Orange would have had little Force, and less Leisure to have made any Attempt upon King James: Thus God is pleased often to turn the Wisdom of the Crafty (I will not say Wise) into Folly and Destruction.

You have heard before how the French King in the beginning of the Year had sent out a Fleet to *Canada*; whereupon the Company of *Hudsons-Bay* represented to the King their Apprehensions, it was a Design upon their Factories and Plantations, and so it succeeded; for the French seized upon a Fort and Plantation of theirs, called *Fort Charles*.

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Towards the latter end of the Summer, the King, without the Knowledge of *Hudsons-Bay Company*, entred into a Treaty of Commerce with his Brother of *France*, in reference to the Trade of *Canada*, wherein it was concluded, that the Forts and Factories should be reciprocally enjoyed in the same state they were at the Conclusion of this Treaty, the *French* having taken the Fort and Factory of *Charles* about three Months before. So little did this King regard the Safety and Welfare of his Subjects, wherein his Majesty and Honour was founded, for to pleasure and endear his Brother of *France*, from whom he expected mighty things for the Advancement of his Prerogative without reserve, in *England*, *Scotland* and *Ireland*.

Thus have I brought down the History of this King's Reign, to the History of the *Desertion*, where at large and particularly you may read, how by a Wonder, equal to King *Charles* his Coming in, King *James* went out: And if no human Prospect could have foreseen where the Tyranny of King *Charles* the 1's Reign would have ended, if the *Long Parliament* in 1640 had not put a full Stop to it; so no uninterested Person was so purblind, as not to see if the Heroick Magnanimity of this King in his Queen's, his own and the Nation's Right, and for the common Safety of *Christendom*, had not put a Stop to King *James* his Designs, but the *Popish* Superstition, and *French* Tyranny, would have been imposed upon these Kingdoms, and have overspread *Christendom*.

We admit these four Kings of the *Scotish* Race had an Hereditary Title to have governed *England*, by the Laws and Constitutions of it; yet no Hereditary King hath any higher Title, nor any Man a Right to do Wrong; and for an Hereditary King to govern otherways, is a greater Tyranny, than if an Usurper does, by how much he adds Perfidiousness, and Breach of his Trust to it.

Yet so it was, that these four last Kings of the *Scotish* Race, which should have been the Guardians of *England*, in preserving the Laws and Constitutions of it, and to have maintained the Honour of it abroad, made it their Business to have subverted them; and being thereby always at Variance and Contentions with their Subjects, lost their own and the Nation's Honour abroad; and by taking no Care of the foreign Concerns of the Nation, became contemptible to other Nations: Nay, the last three Kings, instead of restraining the *French* Ambition and Tyranny, joined with them in advancing of them; as if they designed to make the *French* King an Universal Monarch, as well as to destroy the Constitutions of *England*. And I would know a Reason why, now his Majesty King *William* has, by God's Blessing, redeemed this Nation from the imminent Danger which the *French* King, in conjunction with King *James*, designed upon the Western Parts of *Christendom*, as well

well as these Kingdoms of *England*, *Scotland* and *Ireland*, any Christian should endeavour or desire the Restitution of King *James*, any more than the Primitive Christians did *Dioclesian*, *Maximin* and *Maxentius*, after God had freed them from their Rage and Persecution by *Constantine*.

APPENDIX.

MY Lord *Bacon* compares Times to Ways, some more plain and easy to pass, others more rugged, and more hard to pass; the former is better for him who lives in them, the latter is better for the Reader, not only in the Pleasure of reading the Variety of Accidents in them, but because in their Contests fine Notions arise, which otherwise might have been concealed, and which may be beneficial to the Readers in succeeding Times; and also in shewing the Causes of these Distempers, succeeding Generations may be admonished hereby to prevent them in time to come.

In these Treatises we have given an Account of the manifold Varieties of Accidents which have hapned for above 80 Years in the Kingdoms of *England*, *Scotland* and *Ireland*, *France*, *Spain*, and the States of the *United Netherlands*: and though the *Roman* and *Grecian* Histories may give Instances of the like by Land, yet none of them can shew the like of the *French Grandeur* by Sea, in little more than forty Years; but more especially, in that this was acquired in the Face of two neighbouring Nations, either of which could have prescribed Laws to all the World besides herein; the one claiming the Dominion of the *British Seas*, the other of the *Indian* and *Southern Ocean*.

On the other Side, *Spain*, which in the Reign of Queen *Elizabeth* was both the Envy and Dread of these Western parts of *Christendom*, is now fallen into that abject State, as it is scarce in the Power of *Christendom* to uphold it from falling under the Dominion of the *French*; and this History in some Measure hath shewn the Causes both of the Grandeur of *France*, and the Cadency of *Spain*.

To the natural Advantages which the *French* had above other Nations, after the Death of Queen *Elizabeth*, was added, that *James* the first, and *Charles* the first of *England*, whose Interest it was to have restrained the ambitious and aspiring Humour of the *French*, were degenerate Princes, wholly given up to be governed by Flatterers and Favourites, and made it their Business to usurp another

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another Jurisdiction over the Nation, than they could claim by their Inherent Birth-right; so that if the *Long Parliament* in 1640 had not put a Stop to *Charles* his Career, no mortal Creature could have foreseen where it would have ended.

King *James*, not to disturb his licentious and voluptuous Pleasures, stood only still, and looking on, whilst *Lewis* the 13th had near broke the Interest of the Reformed in *France*; but *Charles* in the first Act of his Reign lent the *French* a Fleet to subdue the *Rochellers*, at that time superior to *Lewis* by Sea; and as inconsiderately in the second Year of his Reign made War with *France*, having in the first Year made War against the *Spaniard*, whereby both *Spain* and *France* joining against the *English*, brought that Loss and Dishonour upon the *English*, in the Expedition of the Isle of *Rhee*; and *Charles* being as loose in his Resolutions, as inconsiderate in his Actions, after the Death of the Duke of *Buckingham*, who had engaged him in both these Wars, made a secret Peace with the *French*, and left the *Reformed* out of it, though he engaged them to join with him in the War, whereby the whole Interest of the *Reformed* was rooted out: So that the Original of the *French* Grandeur by Sea and Land, may be truly ascribed to these two Hereditary Princes, *James* and *Charles*.

After the Tyranny of *Charles* his Reign had degenerated into the Usurpations of the *Rump*, they thinking to prejudice the *Dutch* made the Act of *Navigation*, which cramp't up all the foreign Trades of *England*, and the fishing Trade (which above all others is the Nursery of Seamen, and encrease of Navigation) to *English*-built Ships, and sail'd with $\frac{3}{4}$ *English*, whether there be Ships, or Mariners or not, and without any Consideration of Times, whether of War or Peace.

Though we have in this History, and in *The Reasons of the Decay of the Strength, Wealth and Trade of England*, and also in the *View of the Act of Navigation*, in reference to the Laws which yet stand unrepealed, to the Trades for Masts, Rafters, Boards, foreign Oak, Timber, Pitch and Tar, and to the Trades for rough Hemp and Flax, and to the fishing Trades, and also to the Safety of the Nation against Foreign Powers, at large demonstrated the Iniquity of this Law, and the dangerous Consequences of it; yet it is fit even here to take some Notice of it, and of the Navigation of the Nation before the Act, and how the Case stands now by reason of it.

Before the *Rump* contrived the Act of *Navigation*, the *English*, as the Traders told me, alone fished upon the Coasts of *Iseland* and *Westmony* for *Ling*, and the Cod-fish called *Haberdin*; and at that time the Town of *Alborough* in *Suffolk*, as I was informed, fished yearly to those Seas with 35 Sail of Vessels, called *Iselands-Barks*; and the Town of *Sould* or *Southold*, with 15; and *Great Tarmouth* with

with manifold more, the Number I cannot tell: but this I can tell, That besides *London*, and other parts of *Norfolk* and *Suffolk*, which they supplied with this sort of Fish, as also the Navy Royal, and other Ships, with this sort of Provision, the Town of *Tarmouth* yearly exported to *Calice*, *St. Valery*, *Diep*, *Havre de Grace*, *St. Maloes*, *Brest*, and other parts of *France*, 150000 *Haberdin* and *Ling*; and by their Trades with these, returned Sails and Nets for their Navigation and Fisheries. *Wells* and *Lyn* in *Norfolk* too, drove Trades into these Seas, but I am not informed in how many Vessels; but I have heard the Inhabitants of *Wells* complain, that they have almost lost their Trades, and I believe *Lyn* wholly.

Before the Act of Navigation, the *English* from the Western Ports drove threefold a greater Trade in the *Newfound-Land* Fishery than the *French*; whereas the *French* now drive above twentyfold more the Trade to *Newfound-Land* Fishery than the *English* do: And I have heard Sir *William Booth* say, he had seen in one Year above 100 Sail of great *French* Vessels, of 20 and 30 Guns, sail into the Straits from their *Newfound-Land* Fishery, besides supplying *France* with them, and also their Trades to *Spain* and *Portugal*.

Before the Act of Navigation, the *English* from *London* and *Tarmouth* drove considerable Trades to *Greenland* for Whales; which Trades, as they are wholly lost to the *English*, so are they driven by the *Dutch* and *Hamburghers*, and in a great measure carried on by the *French*. I remember, that the next Year after this Revolution, the *English* took 14 of these *French* Vessels, in their Return from the Whale Fishery: and as this Fishery is wholly lost to the *English*, (which will never be retrieved by making it a Monopoly) so is that of the Town of *Great Tarmouth* into *France*, upon the account of the *Iseland* and *Westmony* Fishery, and the rest of the Trades of the *English* in that Fishery, not one tenth of what it was before the Act of Navigation; nor from the Western Ports to the *Newfound-Land* Fishery, one fifth of what it was before the Act of Navigation: and I wish the Parliament, at their next sitting, would enquire into the Truth hereof, to prove me a Liar. I say, That the Fishing Trades, above all others, encrease Navigation and Mariners; and if the Causes of the Cadency of our Fisheries and Navigation be not removed, the Loss of both will be inevitable; the Consequences whereof will be so dreadful to the Nation, that I tremble to think of them: for as we decline, both *French* and *Dutch* will raise themselves out of our Ruin.

Every Ship is made of her Hull, Masts, and Rigging, which are her Sails and Cables: Timber for the Hull (or Hulk) of a Ship we have in *England*; but I have shewed elsewhere, how improper our *English* Timber is in all our Navigations, except the *New-Castle* Trade, and so dear in the Carriage and Working, that the

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Dutch build the Hulks of Ships, of like Dimensions, for less than the *English* can; and by their great Experience in Building, build Ships for all sorts of Trades more conveniently; so that a Ship of like Dimensions, *Dutch* built, shall carry near one sixth more Freight than an *English*.

Pitch, Tar, and Masts, we have not of our own, but trade generally to *Norway* for them; and as we order the curing of our Hemp in *England*, it's not only dearer here than it may be had from *Liesland* and *Prussia*, but so spalt (as they call it) that Cables made of it will not endure the Strefs of Weather, when Ships ride at Anchor, as foreign Hemp will.

Before the Act of Navigation, the *English* traded to *Norway* in *Dutch* Vessels, or Bottoms, and then imported Masts, Raff, Pitch, Tar; and this the *English* might do by the Act of 1 *Elix.* cap. 13. and then the *English* imported them so cheap, that the *Norwegians* could build but six small Vessels to trade into *England*: but after the Act of Navigation, when the *Norway* Trade was restrained to the *Norwegians* and *English* in their inconvenient dear-built Ships, in little more than two Years the *Norwegians* encreased their Ships from six to above sixty, and those of double Dimensions than the former were: but after *Oliver* dispensed with the Act of Navigation, the *English* *Norway* Merchants imported Goods so cheap, that the *Norwegians* were forced to sell their Vessels for want of Employment. This Mr. Lee and Mr. Smith, *Norway* Merchants, were ready to have testified before a Committee of the Commons, when Endeavours were used in 1667 for the free Importation of Timber, Board, and Raff, after the burning of the City of *London*: Tho these be dead, yet I am assured Sir *William* Warren and Mr. *John* Hammond, *Norway* Merchants, know this to be true.

But the Inhabitants of *Liesland* and *Prussia* trade not with us, and the *Dutch*, by the Cheapness of their Navigation, and full Freight of their Vessels, import rough Hemp and Flax from *Liesland* and *Prussia* one third cheaper than the *English* can; and when these are converted into Manufacture of the Cordage and Sails, it's free for the *Dutch* to import them into *England* by the Act of Navigation; whereby we do not only lose the Employment of manifold thousands of poor People, and depend upon the *Dutch*, but pay one fourth more for these than if rough Hemp and Flax were freely imported.

From hence it was, and I speak this of my own Knowledge, that in the Year 1651 I was part Owner of a Vessel, built at *Walderswick*, before the Act of Navigation; and of another, built by the same Builder in 1655; and this latter cost near one sixth in proportion more than the former; and the Reason the Builder gave was, the Dearness of Masts, Cordage, and Sails: and I have

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no Reason to believe the Case is now any better, the Reasons being the same, and our Timber much dearer, and Carriage farther; so that I do believe the Carriage of our Timber to the Rivers where Ships are built, costs more than the *Dutch* pay for their Timber where they build Ships. Add hereto, That our Fishing, and other Vessels in Navigation, require one third more Hands to navigate them, than the *Dutch* (and for ought I know than the *French*) of like Dimensions.

Now consider, the Fish, in all Fisheries, costs nothing but the Catching and Curing; and that Nation which can catch them cheap, and cure them best, are sure of a foreign Trade for them against any other: and the *English*, by the Act, being obliged to fish in double dearer Vessels, and more inconveniently built, and sail'd by one third more hands than the *Dutch* (or *French* either, for ought I know) have eternally fixed the Fishing Trade upon the Coast of *England* and *Scotland* to the *Dutch*, lost the *Greenland* Trade, and retain not one fifth of the Trades we had to *Iceland* and *Newfound-Land* before the Act of Navigation.

After the Dissolution of the *Rump*, *Oliver* ruled; and tho' for about two Years before his Death he gave the *English* some Benefit in building Vessels, by dispensing with the Act of Navigation, in reference to the *Norway* Trade, yet he took no care to relieve them by dispensing with it, for the free Importation of rough Hemp and Flax from *Liefland* and *Prussia*, for fitting up our Vessels, and Employment of our poor People, Men, Women, and Children; and tho' he did well in so far dispensing with the Navigation, I'm sure he did ill by his frantick breaking with *Spain*, and joining with the *French* against it, to the irreparable Loss of the *English*, and not only to the endangering the Safety of *England*, but of *Christendom*.

It is not foreign to this Design, if Notice be taken, that after King *James I.* became King of *England*, to the Restoration of King *Charles II.* only *Philip III.* and *Philip IV.* were Kings of *Spain*, and both zealous bigotted Princes to the *Romish* Superstition, and both weak and effeminate Princes, wholly govern'd by Favourites; and *Philip IV.* a luxurious and vicious Prince; and that *Ferdinand II.* after the Victory at *Prague*, endeavoured to subvert the Freedom of *Germany* by force, which brought the *Swedes* into *Germany*; and the *French* siding with the *Swedes*, took *Philipsburg* and *Brisac* upon the *Rhine*, which opened the two Passages into the Empire, by which this present King has been enabled to make those Wars and Ravages in the Empire which have since succeeded.

After the Restoration of King *Charles II.* the whole Series of his Reign was employed in assisting the *French* in all their ambitious Designs; so did the *Dutch* and *Dane*, when he had engaged them in a War with *England*; and the *Oxford* Parliament first made the

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Act against the Importation of *Irish* Cattel, whereby they disjoin'd the Interest and Dependency of *Ireland* upon *England*, and tixt it upon *France* and other Countries which traded with them, and enabled the *French* and *Dutch* to victual Ships cheaper in their Fisheries, and other Trades, than the *English* could, as much to their Benefit, as Prejudice to the *English*.

How King *James II*'s Conjunction with the *French* had brought these Nations and *Christendom* to the Brink of Destruction, was said in his Reign. In this state these Kingdoms stood, when God was pleased to give them Deliverance by the Interposition of his present Majesty; and now all the neighbouring Nations upon *France*, I mean *Spain*, the *Empire*, *Savoy*, and the *Dutch*, as well as *England*, were alarmed at their common Danger, by the *French* Ambition and Grandure; and all their Eyes were upon *England*, as if from thence they expected Safety: and now was the King of *England* again become the Arbitrator of *Christendom*, after the four former Kings were so contemptible, and neglected by it. But in two things the *French* King's Ambition, or rather Madness, put some Check to his aspiring Designs, viz. his Contests with the Pope about his Franchizes at *Rome*, and the *Regalia*'s of *France*; and by the Extream on the other side, in his revoking the Edicts of *Nantz*; and his Dragooning and Reforming the Protestants of *France*, whereby he lost innumerable of his Subjects, to the weakning of his own Power, and that in double Proportion; for his Enemies (as he made them) became so much the more numerous and stronger; for those which became Exiles, being an industrious sort of People, had contributed highly to the Increase of the Wealth of *France*: so that now the Charge of the War must have been supported by those he left; yet in this state *France* alone, for above six Years, made an offensive and victorious War by Land against *Germany*, *Spain*, *Holland*, the *Spanish Netherlands*, and the Duke of *Savoy*, tho all these were assisted by the Power of *England* and *Scotland*.

Tho *England* embraced their Deliverance by the King, *Ireland* did not, nor was it their Interest; for why should the *Irish* join with the *English*, who would have no Trade with them against the *French*, upon whom the *Irish* depended by their Trade and Commerce? And it's observable, That tho the *French* assisted the *Irish* above three Years in their Wars against the *English*, yet it may be a Question, Whether the *French* did not gain more by their Trade with *Ireland* for Wools, Tallow, Raw Hides, and Provisions for their Fleet, than their Expence for carrying on the War against the *English* did amount to; whereas the *English*, in the War, were at a foreign Expence; and being a Naval War, were forced to victual their Fleets at one third greater Expence than the *French* could do from *Ireland*.

Another Advantage the *French* had over the *English* in this Naval War, was, that *Brest* lying South of *Ireland*, every Wind, nor North, in one Course carries their Fleet to *Ireland*; whereas *Chatham*, from whence the *English* sent their Fleet to oppose them, lies fivefold more remote from *Ireland* than *Brest* does: nor can the Ships from *Chatham* be carried to *Ireland*, but by different Winds, and steering different Courses, almost from all the Points of the Compass; for it must be (after the Ships are come within the Buoy of the *Nore*) a South or South-west Wind to carry them to the Buoy of the *Gunfleet*, before they turn into the *Deep Waters*; then a quite contrary Wind brings them into the *Downs* and *Channel*; and when they have sailed above a hundred Leagues, another Wind carries them to *Ireland*.

From hence it was principally, that the *French* for above three Years together (so long as the War lasted) sent out their Fleets upon the Coast of *Ireland*, did their Business, and returned to *Brest*, before we could get out our Fleets to oppose them. Yet *Falmouth* and *Milford-Haven* are much better Ports, and lie better and more conveniently than *Brest*; *Milford* much more to have relieved *Ireland*, and oppose the *French* Designs at *Brest*; yet from neither did we send one Ship to do it.

I suppose if the Reason hereof be asked, it will be answered, That there were no Docks, Shipwrights, or Naval Stores in either, to have supplied our Men of War in those Ports. But from whence comes this to pass? There were two Reasons hereof, from within, and from without; from within, *Foy* and *Haverford-West* (and the Port Towns generally of *England*) are Corporations, and the Inhabitants poor, yet proud of their Prerogatives, in excluding the rest of the Nation, and so have so much less means for building Ships, Docks, or carrying on the Filling, or any foreign Trades, as the Inhabitants are fewer and poorer, and generally they are all Beggars.

The other Reason, from without, is the Act of Navigation against Foreigners partaking equal Benefit in Trade with the Natives of *England*; so that tho God and Nature have endowed this Nation with more excellent and noble Ports than any Nation in the World of like Bigness (except *Ireland*) for the Benefit and Convenience of the Nation, yet by the Iniquity and Folly of our Laws, we have made them vain, and of no use to our selves, nor any other Nation; whereas I am confident the *French* King would give any of his new conquered Provinces in the *Spanish Netherlands* to have one such Port as either *Falmouth* or *Milford Haven*, upon the Coast of *Normandy* or *Bretaign*, within the Channel. Notwithstanding these Obstacles, the Kingdom of *Ireland* is again reduced to the Dominion of the Kingdom of *England*: But, I say, tho we should destroy the *French* Fleet of War, yet if we do not redress

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the Oppressions which the *English* in their Trades and Navigation lie under, the Nation will be no ways secured from the growing Greatness of either *French* or *Dutch*; for the same Causes will have the same Effects.

EXPEDIENTS, *by which the English Nation may be secured against the growing Greatness of the French and Dutch.*

A P O L O G Y.

WE have epitomized the Causes of the declining of the Wealth, Strength, and Trade of *England* in this *Epilogue*, that they may be more obvious to the Reader than if he should look for them as they lie dispersed in the Body of the History; and I am conscious to my self of the Difficulties I labour under in these Expedients: For a Reformation of State Affairs cannot be made, but to the Hindrance of many particular Men, whose Education, it may be, has placed them in their Stations; these are known, and by these I am sure to meet with all possible Opposition: whereas in contending for the Benefit and Security of the Nation, every body's Business is no body's Business, and not one in ten thousand will concern themselves in it: however, Truth is sacred, and a divine Air attends it, and what is neglected in the present time may prevail in succeeding Generations. And I will beg but one thing of my Opponents, *viz.* That they will not answer me by Clamour, but by Reason, and not Reason in Extremes; for thereby we shall differ and wrangle in the Means without end: and let this stand for a Maxim, *That the Publick, in all Business of this Concern, is to be preferred before the Private, and the Safety of the Nation before any Man's particular Interest.*

The Security of every Country depends upon the Strength of one Country against another, in case of War between them; and herein Countries are to be considered as they are placed in reference to each other: The Bounds of *Inland* and *Mediterranean* Countries, are Rivers, Lines, and Forts, which are esteemed sacred; and a Violence done to them, is esteemed a just Cause of War; and so long as these are preserved, the Countries within are secured from foreign Wars.

Britain is an Island which knows no Bounds but the Ocean, and the Kings of it are Sovereigns of those Seas which beat upon the *British* Shores; and in preserving this Sovereignty, *Britain* is more secure from foreign Invasion than any other Kingdom in the

World (how great soever) which is on the *Terrene* Continent.

But this Dominion hath been of late disputed by the *Dutch*, and is at present by the *French*; nor shall the King of *Britain* be secure of the Sovereignty longer than he is able to defend it against the *French* and *Dutch*, whereas at present the *French* contend for this Sovereignty against the *English* in Conjunction with the *Dutch*. But suppose by an Accident of the Times, in these Circumstances, the *French* had joined the *Dutch*, as they did in the first *Dutch* War in King *Charles II*'s Time, not 30 Years since, what a Condition had these Kingdoms of *England*, *Scotland*, and *Ireland*, been in? And I say, the King of *England* shall never be able to maintain the Dominion of the *British* Seas, and thereby secure the Safety of the Nation, unless he be able to defend it against the *French* in Conjunction with the *Dutch*.

I'm a Lover of Mathematical Learning, because it premises its Principles before Men begin to learn or reason from them; whereas otherwise, where Men begin Disputing, they proceed and end in Contention and Wrangling: and, I say, that Trade is a Principle to Navigation, but above all, the Fishing Trades; and therefore, as you encrease your Trades, so you may infinitely encrease your Navigation: and as Trade is a Principle to Navigation, so is Navigation a Principle to maintain the Dominion of the Seas; and therefore so much as the Trades of *England* be lessened, so much will the King be less able to maintain the Dominion of the Seas upon the Coasts of *England* and *Scotland*: and this will be in a double proportion; for so much as we lose in either, the *French* and *Dutch* will gain, as well to the Loss of *England*, as to the endangering the Safety of it against foreign Enemies. How therefore we may preserve the Trades which we now enjoy, and encrease them by our selves, and where we cannot do by our selves, by the help of others, is the main Design of these Expedients.

Expedient I.

That the King establish his Throne in Religion, Justice, and Mercy, and that herein the Subjects *Fear God*, and honour and obey the King; for if either stray from hence, they will fall either into Confusion or Tyranny, whereby the Nation will become divided in it self, to the endangering the Safety of it from within and without, and never be happy till it be restored to what it was before.

Expedient II.

1. That for the Conservation of the Trades we now enjoy, and for the Employment of our *English* Natives, Foreigners continue to be excluded from our *American* Plantations: and herein neither *French* nor *Dutch* have any Reason to complain; for the *Dutch* do the same in their *Spice Trade*, and so do both *French* and *Dutch* in their *African* and *American* Plantations: but herein it's not fit for the

the *English* to be restrained to *English*-built Ships, as well for the Inconveniences which have been shewed before, as for that we may want *English* Timber for this and our other navigating Trades, and the King for building and repairing his Navy Royal, wherein our *English* Men of War, built of *English* Timber, excel all other, being more tough, and less liable to splinter, whereby the *English* Men of War, built of *English* Timber, will endure a Battery, which Ships built of foreign Timber will not.

2. That the home-vent of our *Newcastle* and *Sunderland* Trades in times of Peace, be driven by the Natives of *England*, exclusive to Foreigners; as also our other Trades, from Port to Port in *England*, and also to *Ireland*; tho these be impoverishing Trades to the Nation: for the Pitch, Tar, Masts, Cordage and Sails, generally used in these Trades, are foreign Commodities to the Nation, and for acquiring which, we return very little of our Manufactures; and the digging the Coals out of the Pits, and burning them in *London*, and other Places, no ways enriches the Nation to supply the foreign Expence for Pitch, Tar, &c. used in them; nor are either old Men, Women, or Children, employed in these Trades, but only young and lusty Men, and that but half the Year: so that *Ipswich*, and other Coast-Towns, which depended upon these Trades, are almost quite unpeopled, by reason the rest of the Inhabitants find no Employment in them. However, I'm confident that this *Newcastle* and *Home-Trade*, and that to our *American* Plantations, employ above four fifths of all the Ships in all the Trades we drive by Navigation; and therefore we'll take care to keep these, by excluding Foreigners out of them in times of Peace: and unless Foreigners beat us out of these Trades, they cannot get them from us.

For ought I know, the *Newcastle* and *Sunderland* Trades are better carried on in *English*-built Ships than foreign, because Coals being a bulky Commodity, and lying loose in the Hold of the Ships, in stormy Weather and rolling Seas batter the sides of the Ships; and the *English* Timber being tougher than the foreign, it better endures this than those foreign built: but it were Arrogance for any to say, because of one Convenience no other Ships shall be employed in this Trade; for hereby the King may want *English* Timber to build and repair his Men of War: besides, all Arts and Sciences are infinitely progressive; and if the means for carrying on Arts be restrained or denied, this will not only cramp the Improvement of this Art, but make the present Performance of it more difficult; and no Man that is less conversant in any Art or Business, understands how to manage them so well as those Men who make it their Business, and are more conversant in them.

It is therefore extream Arrogance and Injustice in any one, to prescribe to another, how, and by what means, he shall manage his

Business, and by no other: every Man in his Profession ought to use such just means for carrying on his Business as he shall find most convenient, and not be restrained to such means as another shall impose upon him; and therefore whatever my Opinion, or any Man's else be of carrying on the *New-Castle Trade in English* built Ships, yet it's not fit to impose it so upon others Negatively, that they shall use no others, Trade and all Arts flourishing most where they are more free, and have more means to improve them: and tho' I believe our *Turkey and Italian Trades* are better carried on in *English* built Ships than others, because they being more Warlike, and double better Mann'd than Foreign, they will fight their Passage against the *Algerin, Tunis and Tripoli* Pirates, when other Foreign Vessels easily become a Prey to them; yet I think it unjust to forbid the *English* to trade in any other Ships into the *Straits*.

Expedient III.

Since the Strength and Trade of every Nation begins at the Inhabitants, it will be the Interest of the Nation to continue the Inhabitants in it; and how these Inhabitants may be employed to the Benefit of the Nation is the next Consideration: And therefore it is expedient that the Liberty which at present is granted to *Dissenters* from the Church, be continued, lest by proceeding against them by severe means, as was done of late for five years together, (*viz.* from the year 1635, to 1640) and since, they flee out of *England* into our Foreign Plantations or into *Holland*, as they then did, and taught the *Dutch* the Woollen Manufactures wrought in *Suffolk and Essex*, which was one principal Cause that the *English* have almost lost all their Trades of Woollen Manufactures in the Kingdoms and Countries within the *Sound*, and thereby the *Dutch* Trade for these is vastly encreased; and also lest they be provoked into intestine Broils, as succeeded in the Year 1640. Nor has *Holland* had the Benefit of the Persecution of the *Dissenters* in *England* only, but I do assuredly affirm that the raging Persecution of the Protestants by *Philip the II.* in the *Spanish Netherlands*, and by *Henry the II.* in *France*, who found an *Aylum* in *Holland* against these Persecutions, was the Original of the *Dutch* Greatness; and it may be a *Problem*, whether the now *French King* has not lost more by his revoking the Edict of *Nants*, and by his Dragooning Reformation of the *Reformed*, than he has got by all his Conquests in the *Spanish Netherlands*, the Empire, *Savoy* and *Spain*; and after all he is not sure, but in acquiring these he has endangered the safety of his Kingdom of *France*.

Expedient IV.

In the Employment of the Natives there is a twofold Consideration: First, That the poorer sort of Youth be instructed how to be employed: And secondly, That no Man be excluded out of any Place,

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Place, from having the Benefit of his Breeding and Labours : I see no reason why Men should merit their Freedom in any Art or Mystery, by their being bound Apprentice to it for seven Years ; for if they have any Benefit by it, let them enjoy it : but to exclude any other from exercising his Trade, because (though a better Artist than one bound Apprentice to it) he has not served seven Years in it, is not only Tyranny and Injustice, but of publick Detriment.

I say it is Tyranny and Injustice, for the generality of Mankind eat their Bread in the sweat of their Brows, and Cares of Mind, and have no other Subsistence but by their Labours : and therefore to take from another his honest means of Labour and Living, is a greater wrong than to have robbed him ; for this hinders him but in his present Condition, whereas it is worse to take a Man's means of Living, than to take away his Life ; for this puts a Man upon the ungodly Courses of Thieving, Sherking and Deceit ; and with what Justice can a Man be punished for doing ill, who is not permitted to do well ?

I say, the denying a Man the benefit of his Labours is a publick Detriment, for all Countries flourish by the Inhabitants Labour and Industry in Living ; and every Man's Labour being a Benefit to another, hereby the Publick becomes injured, as well as the Man that is denied the Benefit of his Labours.

Object. By the Act of the 5 Eliz. 4. it is unlawful for any to work in any Trade, in any Corporation, or Market Town, but he who has been bound Apprentice to it seven Years.

Answer. All Men by the *Law of Nature* are obliged to get their Livings by honest Callings, and to be helpful to other Men ; and Humane Laws ought to aid the Law of Nature herein, and to punish those who hinder Men from their Labour and Employment ; and whenever Humane Laws are contrary to the Law of Nature, the Execution of them is practising Iniquity by a Law : If a Man has been bound Apprentice seven Years to any Profession, it may be he has thereby a Benefit above another not bound seven years ; but shall this other therefore not subsist, or be of any Benefit to the Nation, because that was bound Apprentice ? This is such a Topick in Reasoning, as I never desire to be conversant in.

But why must being bound Apprentice seven Years entitle a Man to a Freedom of working in any Art or Mystery ? Suppose one is bound, and is a Block-head, and another more ingenious in it not so bound, is there any Reason that shall be free, and this other not employed ? I am assur'd it is otherwise in *Holland*, where Men in purchasing their Freedom are not questioned how long they have been bound Apprentice, but how well they can work in any Art or Mystery.

I agree there are some Professions which depend chiefly upon bodily Labour, as *Blacksmiths, Carpenters, Shipwrights, Husbandmen, &c.* which cannot be well acquired but by being bound Apprentices to them for some Time or Years; but I see no reason why in others which do not so much depend upon bodily Labour, Youth should be bound Apprentice at all, but may be better instructed without it: for as in all scientific Learning, Youth bred up together will better be instructed in Company, and learn by one another, than where one single Youth is instructed by one Man; so in the Arts of *Combing, Spinning, Weaving and Knitting* in Woollen Manufactures, and *Silkthrowing, Weaving*, and in many others, Youth will be much better instructed in Consort and Company, than when alone.

There is one Mr. *Robert Cooke*, who is a more rigid *Pythagorean* than any (I think) of the Antients, for he will not drink any thing but Water, nor eat any thing which had *Sensitive Life*; nay, he will not wear any thing which came of any living Sensitive Creature; but his Hat, Clothes, Shooes and Stockings, are all made of Linen, and so is the Bed he lies in.

After the Natives of *Ireland*, upon the Act against importing *Irish Cattle*, had converted their feeding Grounds of great Cattle into Sheep-folds, and the Wools of *Ireland* being generally better for Woollen Manufactures (as he told me) than those in *England*; this Mr. *Cooke* set up a Woollen Manufacture in the County (as I remember) of *Wexford*, wherein he set on work either 40 or 80 Looms, and I think each Loom employed ten poor Children in sorting, combing and spinning of Wool; and would entertain none but poor married People and their Children in working, for whom he first provided a Habitation, and all sorts of Instruments for their Work, and Materials to work on; they needed no great Instruction how to work, but were instructed by one another in Consort, till they had learnt how to comb and spin; and in working in common, as they could improve themselves, so he preferred them. I asked him why he took only poor People and their Children? he told me, *Because he was sure of them when he had most Benefit of them, whereas if he took young single People which lived of themselves, they would leave him when they could subsist without him.*

Hereby Mr. *Cooke* holding Correspondence with Merchants in *Holland* for these Woollen Cloths, acquired great Riches; and a little before (I think the Year before) the Revolution of *England*, was made Sheriff of the County (I think) of *Wexford*: but being zealous against the Superstition of *Rome*, upon King *James* his coming into *Ireland*, Mr. *Cooke* came into *England*, and would have set up his Trade in *Ipswich*, if the Town would have permitted him, tho' *Ipswich* be scarce half inhabited, which they would not; so he set up some Looms without the Town: but he told me, he

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could not get any Children to work, tho he proffered them a Penny in a Shilling more than was given either at *Colchester* or *Norwich*. I never saw him but once, and this was four Years since, and now I hear he is returned back to *Ireland*.

But admit binding of Apprentices were necessary in learning of Arts or Mysteries, I would fain know what is the Art and Mystery of Wholesale or Retail Traders, or of Vintners, that Youth should be bound Apprentice to them, or of what use are they to the Publick, but an unnecessary sort of People? And because these are bound Apprentice, which noways contributes to the Benefit of the Publick, therefore other People which do, shall reap no Benefit of their Labours, because these labour not at all.

Expedient V.

That for the future no Youth be bound Apprentice to any Vintner, Wholesale or Retail Trader, whereby the Nation may reap the Benefit of those which might have been thus bound in other Employments.

Expedient VI.

That in all the Grammar-Schools of *England*, Youth of both Sexes be instructed in understanding the *English* Tongue, and to write it, and be taught the use of *Addition* and *Substraction gratis*; and if any will have their Children instructed in the *Greek* and *Latin* Tongues, let them pay for it; whereby Youth may be better enabled to manage their Business, in Dealing and Converseing in the World: for to speak and write in *English*, and *Addition* and *Substraction*, if they be not necessary, yet are very convenient to all the *English* of both Sexes. And hereby the Supernumeraries bred up in Grammar-Schools, and our Universities, more than the Revenues of the Church can maintain, may be restrained, and consequently a greater Uniformity in Religion wrought amongst us.

It were to be desired too, that all learned Books, especially Mathematicks and History, were rendred into the *English* Tongue, as Cardinal Richlieu has done them in *French*; and that in our Universities, these may be read to the nobler and better sort of Youth from their first Principles; and that *Aristotle's Analyticks, Topicks, Physicks* and *Metaphysicks* be suppressd, not only as vain, but disposing to Contention and Discord; and that the Laws of *England* after the Example of the *Grecians* and *Romans*, might be rendred into the *English* Tongue, and their practice less mystical and chargeable.

Expedient VII.

That in every Village a Work-house be erected, or at least every Village contribute to the Erecting of one in another Village for to instruct the Youth of both Sexes in such Arts or Mysteries as are more proper in them, whereby the Nation may reap the Benefit of their Employments, and the poorer sort of People not forced to flee out of their Country, or become a Burden to it.

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Expedient VIII.

That the Drudgeries of Drawers and Tapsters in Taverns and Ale-houses, be performed by Women, that the Men may seek better Employments: I am sure they cannot be worse employed.

Expedient IX.

That Foreigners be excluded from the Trade in *Ireland*, and that the Trade between *England* and *Ireland* be free, so that *England* may be the Store-house of the *Irish* Wools, Beef, Tallow, Hides, &c. as well as of the Products of our Plantations, whereby *England* may have alone the Navigation, as well as the Trade to it; and by the benefit of Manufacturing their Wools, Hides and Tallow, not only victual our Fleet in Navigation, and the King his Navy Royal cheaper, but also drive a Foreign Trade to *France*, *Spain* and *Holland*, upon the account of salted Beef, &c.

Let's see the dangerous State of this Nation, as the Case now stands between *England* and *Ireland*: Our Trades to *Norway*, *Prussia* and *Liepland* for Pitch, Tar, Masts, Raff, Boards, Timber, and rough Hemp and Flax, are generally a Foreign Expence, so is that to the *East-Indies*, which at a moderate Estimate amounts to a Million Sterling yearly; and we have little to supply for these, but by our Trade to *Spain* for Woollen Manufactures, which if we lose, the Nation could not support the Foreign Expence in these.

Now let's see the State of our Woollen Manufactures in *England*, compared with that in *Ireland*, in case Foreigners be permitted to trade into *Ireland* for them. In *England* the Wools of most of the Countries on this side *York-shire*, are brought by a Land-Carriage to *Norwich* and *Colchester*, to be manufactured there, and after that by another Land-Carriage brought up to *London*, as generally your *Western* Cloths are, where only the Free-men of *London* must buy them at their own Prices; and then in Foreign Vent they are restrained by the Act of Navigation to Ships doubly as dear built, and sailed with near double the Hands Foreign Ships of like Dimensions are; and all the *Western* Cloths in their Vent to *Spain*, *Portugal*, *Italy* and *Turkey*, by a much longer Voyage, than if they had been exported from any of their Ports.

Whereas *Ireland* is seated better than *England* for the Trades of *France*, *Spain*, *Portugal*, *Italy* and *Turkey*, and the Ports equally good, or better than those of *England*, I'm sure much better than from *London*: The *Irish* shall have no need to carry the Wools of *Leinster* and *Munster* to *Ulster* by a Land-Carriage; and when they are wrought there, to bring the Cloths to *Dublin* by another, where none must buy them but the Free-men at their own Rates, and these bound to vend them in double as dear-built Ships, and sailed with near double the Hands of other Nations: but if Foreigners be permitted to trade, they may have the Cloths from the next Ports where they are wrought, and where the Artificers can live

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live much cheaper than in *England*. The same Reason will be to the prejudice of our Leather made of Hides, Calves and Sheepskins in our Foreign Vent; and if the *Irish* want Artificers, you need not fear the *Dutch* will furnish them: and at this rate, how long shall we enjoy the Foreign Trade, and the Navigation to *Spain*, *Portugal*, *Italy* and *Turkey*, with our Woollen Manufactures or Leather? &c.

Expedient X.

That the *English* may import rough Hemp and Flax, Pitch, Tar, Masts, Deal Boards and Timber in any Vessels.

Object. This will ruin our building Ships in *England*, and the Navigation of it.

Ans. I expect such a large general Objection; but if we never built any Ship for these Trades, then our building Ships will not be prejudiced thereby; and if we employ about 300 Mariners in the *Norway* Trade about three Months in the year, and 150 for six Months in the year to *Liesland* and *Prussia*, is this Employment to be preferred to the free Importation of the Products of these Countries, and thereby save $\frac{1}{4}$ of the Foreign Expence, and employ, it may be, 50000 People, or more, Men, Women and Children, all the year round, in making Sails and Cordage for our Navigation, and Nets for our Fisheries; and hereby be able to fit up Vessels for our Navigation and Fishing Trades, as cheap as the *Dutch*, and cheaper than the *French* can?

Expedient XI.

That the *English* Merchants be permitted to buy Vessels for carrying on the Fishing Trades upon the Coasts of *England* and *Scotland*; I do not mean those mean Fisheries to supply *London*, and some places in *England*, by imposing double Strangers Duties upon Fish imported by the *Dutch* by the Act of Navigation; but such a Fishery, whereby the *English* may, in some measure, partake with the *Dutch* in their Foreign Trades of Cod-fish, and white Herrings, and also buy Vessels for the *New-found-land* Fishery.

Object. This would ruin our Natives in building Ships.

Ans. This is at large again; for if the Natives never built (I'm sure since the Act of Navigation) one Ship for this Trade of Fishing upon the Coasts of *England* and *Scotland*, what does this hinder them in building Ships for our other Trades? nor does this hinder the Employment of Mariners in them, for we have employed none in it these 30 Years: So that this Trade is like a great Man that is Lord of a great Lake, out of which his Neighbours grow rich and powerful by the Fish they take out of his Lake; but this Man is so in love with his Family, that he will not permit any of them to fish but by such Means or Instruments, as others of his Family will supply them with; but these are so dear and inconvenient for their Purpose, that they can only supply their Master's Family,

Family, whilst others supply his Neighbours better and cheaper; and in this State it will be in the Power of these others, to bear him and his Servants quite out of the Fishery, and take the whole Benefit to themselves.

In the *New-found-land* Fishery the *English* do, and always did build Vessels for it; but these are such, that the *French* have almost ruined their Fisheries, I am sure, in the foreign Vent of them; and therefore the buying Vessels for this Trade is as necessary, as for that of the Fisheries upon the Coasts of *England* and *Scotland*: and tho the *English* heretofore built Vessels for the *Green-land*, *Iseland*, and *Westmony* Fisheries, yet they were such, as the *Dutch* and *Hamburgers* have wholly worm'd us out of the *Green-land* Fishery, and left us very little of the Fisheries to *Iseland* and *Westmony*.

It were to be wished, that an Experiment might be made of building Vessels for our Fisheries, especially for that of the *New-found-Land* in *New-England*, where Timber, Masts, Pitch, and Tar, are cheaper, and may be better had, than the *Dutch* can import these, or bring them into *Holland* down the *Rhine* and *Maes*: but the Attempt of this must be done for some Years upon a publick Account.

Expedient XII.

That the *English* be permitted to buy Ships in the foreign Vent of our Manufactures, and the Product of our Plantations. It's a strange thing to me, that in the Navigation of *England*, being so necessary for the Safety and enriching of it, others not conversant in it, as the *Rump* were not, should restrain it to one sort of Shipping; for such a Restraint cramps all Learning and Reasoning in every Art or Science, without any possible Progression or Improvement beyond it: and I say this Restraint was as absurd as impolitic; I say it was absurd, for it sets the Cart before the Horse, for Trade is a Principle to Navigation, and Navigation a Mean in carrying on Trade; so that as you encrease your Trades, you may your Navigation, if your Hands be not bound up from it: but if you begin at Navigation, and tie your selves only to one sort of Ships, it will be impossible to encrease your Trades beyond it, whereby all those Peoples Labours which are restrained to this Navigation will be lost, and these a Burden to the Nation.

I say, this Restraint is as impolitic, as absurd and unjust; for hereby you sacrifice not only the Navigation, upon which the Employment of People depended, to your Neighbours, it may be your Enemies, but intitle their People to those Trades which you so foolishly give them to your Loss, and it may be, Undoing.

To these is added another dreadful Consequence upon the Nation, by the Act of Navigation, which the *Rump* in their haste and

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spite against the *Dutch* did not foresee, at least not consider; for the restraining the Navigation of *England* to *English* built Ships, hath so wasted the Timber of *England*, that in convenient Distances for building, the King will not find Timber in *England* to build and repair his Navy Royal, if this Restraint be continued; and then in what a Condition will the Nation be? I will give some particular Instances hereof, which I know of my own Knowledg.

Having observed the Scarcity of Timber upon the Coast of *Suffolk*, (which I take to be the best of *England* for building Men of War) caused by the Act of Navigation; about 20 Years since, when I was at *Bristol*, one Captain *Baily* was building the *Oxford* Frigate; out of Curiosity I went to see it, and found the Captain on Board; and falling into discourse with him, among other things, I told him how scarce Timber was in *Suffolk*, but I hoped it was not so in the *West*; he told me it was much less there than in the *East*, and that he was forced to get Timber for building the Frigate from beyond *Worcester*, which was above fifty Miles from the Place, yet the Forest of *Dean* between, which Queen *Elizabeth* called one of the Nurseries of her Navy Royal.

About five Years since, one Captain *Frame* undertook to build two Men of War for the King, and he bought Timber for building them in *Norfolk* and *Suffolk* near 20 Miles from *Great Yarmouth*, from whence it was carried to *Hull* by Water to him: and I have a Tenant in *Suffolk*, who contracted about three Years since with Timber-Masters to be paid Sixteen Shillings a Load, or Tun, for carrying of the Timber for the Dock at *Ipswich*, to build their Ships, which is, I am confident, more than the *Dutch* pay for their Timber delivered at their Docks down the *Rhine* and *Maes*.

Objection. But if the *English* buy Ships for the Foreign Vent of our Manufactures, our Ship-Carpenters will be undone for want of Employment.

Answer. So here the Interest of Ship-Carpenters is opposed to the Interest and Safety of the Nation; but if these built Ships as good and convenient as other Nations, the Merchants would not look further: but is there any reason because they cannot do it, the Nation must be undone? let them continue building Ships for *New-Castle* still, and they know no better; yet this is observable, that though our *English* Builders in this Trade have had a Monopoly in it above these Hundred Years, yet having no better Skill in it, and being too wise to be instructed, at last about six Years since they found out, that it was better to build them somewhat longer; yet these are the Artists our Merchants must trust to, and no other. I am confident that the *French* King understands the Advantages *France* reaps by the Act of Navigation, and that this was the Reason King *James* in his last Declaration promised to observe this Act inviolably.

Expedient XIII.

That the foreign Vent of our *English* Manufactures, and the Product of our Plantations, be as free to the *English* in all Trades, as they are to *Spain* and *Italy*.

When any Man shall give a rational Answer to any of those manifold Reasons given by 3 *Jac.* 6. for the Freedom of Trade to *Spain*, &c. I will recant all which hath been said in any of these Expedients; or that there are not the same Reasons for the Freedom of the *English* in venting our Manufactures and Product of our Plantations in all our foreign Trades, as well as to *Spain*, except to *Holland*, who by the Cheapness of their Navigation may vend them again cheaper in *Muscovy*, all the Countries and Kingdoms within the *Sound*, and also to *Spain*, *Portugal*, *Italy* and *Turkey*, than the *English* can by their Navigation; but this is yet but problematically said, not granted: But in case the *English* Navigation were as free and easy as it is in *Holland*, then the Question would be at an End.

I do not speak this against the *English* trading in Consort or Companies, for I know many Trades may be better carried on in Companies than by particular Men, but against the Usurpation and Tyranny of Companies, who because they trade, therefore no other *English* shall; and this I say, that if Companies, as the *Turkey* Company (which of all others is least liable to Exception) carry on their Trades best for the Interest of the Nation, no particular Merchant could set up in competition with them; but if they leave Room enough for the *Dutch*, the *French* and *Venetians* to trade to *Turkey* with their Woollen Manufactures, why should any *English* Merchant not of the *Turkey* Company be excluded herein, yet these Trades free to other Nations? The *East-India* Company by their Charter claim a Liberty of Trade exclusive to the rest of the Nation, from the Cape of *Good Hope*, to the North of *China*; which if you take in both sides of the *Red-Sea*, and Gulph of *Persia*, and the Circuits of the Islands between the Cape of *Good Hope* and the North of *China*, is above half the Circumference of the Earth: So do the *African* Company from the Kingdom of *Morocco*, to the Cape of *Good Hope*, which if you take the Coast of *Africa* as it lies, is more than a Quadrant of the Circumference of the Earth; so that these two Companies claim a Trade exclusive to the *English*, of above $\frac{3}{4}$ of the Circumference of the Globe of the Earth; and if they had Power as great as their Claim, they might give Laws to all the Princes of the World, as well as their poor fellow Subjects; and it may be a Question whether they would use them better. And is not the *Hamburgh* Company broke? And have not the *East-Country* Company upon the matter lost our Trade into the *Sound*, which within these sixty Years was the best Trade the *English* had for Woollen Manufactures in the World?

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Expedient XIV.

That the Customs upon the *French* Wines consumed in *England*, be $\frac{1}{3}$ more than upon *Portugal*, *Spanish* and *Italian* Wines, whereas the Duties upon these are $\frac{1}{3}$ more than upon the *French*; because our Trades to *Portugal*, *Spain* and *Italy* are beneficial Trades to the Nation, which by the Abatement of these Duties may be increased; whereas by the Ballance of our Trade with *France*, taken in the eighth Year of King *Charles* the Second, the Nation lost near a Million yearly in their Trade with *France*.

Expedient XV.

That the Duties imposed upon Salt, Wines and Brandies, be paid by the first Buyer after they are imported, and not the whole Cargo charged upon the Merchant; so that what is not consumed may be exported again.

The Reason of this is, that so much more as Ships are fuller fraught, so much cheaper will the Navigation be, not only of these but of all other Merchandize which compound the Freight of the Ship; and hereby the *Dutch*, besides the Cheapness of their Ships, by compounding their other Merchandize with Salt, Wine and Brandies, which they import cheaper than the *English*, make all their Trades to *Muscovy*, and all the Countries and Kingdoms within the *Sound*, so much more easy and cheap, as their Vessels are more full fraught, by these.

Objection. If Salt, Wines and Brandy imported may be exported again, the King will lose his Customs.

Answer. I say not at all, for how do they do in *Holland*? and by the 4 *Jac.* 2. the additional Duties upon Tobaccos and Sugars are paid by the first Buyers; and by charging the whole Cargo, these are damned to a Consumption here in *England*; and if you did not, the King shall be paid for all that is consumed. On the contrary, I say, the King is more secured of his Duties hereby, than if the whole Cargo be charged; for let the Penalty stand, that the Merchant shall forfeit his Cargo if he make a false Entry, and who then will run the danger, when he is like to get nothing by it? whereas if the whole Cargo be charged, if a Merchant escapes but once, he will be no loser; if he be discovered the next time, he runs his Goods.

Expedient XVI.

That it be free to the *English* to import Salt, Wines and Brandies in any Vessels.

The Reason of this is, because our *English* Navigation is so dear, that the *Dutch* import these much cheaper than the *English* can, and therefore can export them into other Countries cheaper; whereby the *English* cannot so well compound their Freight in the Northern Vent of our Manufactures as the *Dutch*; whereas if the *English* were free to import Salt, Wines and Brandies in any Vessels,

Vessels, all the Manufactures of *England* might be vended from their next Ports, and not by a tedious and chargeable Land-carriage brought up to *London*, to be freighted from thence. And this benefit the Nation has naturally above the *Dutch* herein, that as our Woollen Manufactures are better than those in *Holland*, and may be cheaper than there, so we can compound Fraights with Lead and Tin, which the *Dutch* have not, and, can ballast the Ship with Sea-coal, cheaper than the *Dutch* can.

Objeſt. If the *English* should freely import Salt, Wines and Brandies, we should undo all our Mariners and Shipwrights.

Anſw. What this again, and at large? So that unless you undo the Nation, you cry out, *You are undone*; but if you will do as well as other Men, you need not complain, for the *English* would employ you before any other: But must the Nation be undone, because you are either ignorant, and will not, or have not means to serve the Nation?

Now let us see how far these Men would be undone, if the importation of Salt, Wines and Brandy were free for the *English* in any Vessels. If Salt were freely imported, we should be so much better enabled to cure Fish in all our Fisheries, and also in salting Provisions in all our Navigations, as well as the Navy Royal, upon Occasions; and be enabled to refine Salt so much cheaper, as Salt imported is cheaper: And what are the Ship-Carpenters hereby hindred? for they never built one Ship for this Trade, nor know how to build any other way than for the *New-Castle* Trade, which is free both to employ their Shipping and Mariners; and therefore neither would be undone, if the Trade to import Salt by the *English* were free to do it in any Vessels.

For the Trade for *French* Wines, it is but three Months in the Year, viz. *October*, *November* and *December*, and these the most perillous of all the Year for Navigation, and in the most rude and boisterous Seas in the World, and the outward Vent to *France* no ways proportionable, but less by the Returns of the Wines; and what would be the Loss to the Nation, if these Ships were not thus endangered by this Voyage, or the Mariners not employed in it?

The Reasons for the Import of *Portugal*, *Spanish* and *Italian* Wines, are not the same with the *French*; but if it were lawful for the *English* to buy Ships for the foreign Vent of our Manufactures, and the Product of our Plantations, the *English* hereby might in Return of their Trades, import Salt, Wines and Brandies cheaper from thence than the *Dutch* can; and if these were free to be imported and exported, I see no Reason why we might not reduce the *Dutch* to as low a Trade to the *Sound*, and to *Muscovy*, as they were before the Year 1635, and in a great Measure recover the Loss of these Trades.

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Expedient XVII.

That no Duties be withdrawn upon the Export of dying Stuffs and unwrought Sugars from our *American* Plantations.

The Reason hereof is, that the Manufacturing of any Commodities is so much more valuable to any Place by the Employment of the People, as the thing manufactured is more valuable than the Principals; as it may be Wool, which is the Price but of one Shilling, if made into Cloth, may be of eight Shillings value, then seven Shillings will be Advantage to the Nation, by Employment of the People; and if otherwise it were not wrought, these People might be a Burden to it. And the dying of Woollen Cloths, and silken Manufactures, is the best Employment for our Midland People, next the making of them; and by withdrawing half the Duties upon dying Stuffs, we entitle the *Dutch*, *Hamburgher* and *French* to dye Woollen Cloths and Silks cheaper than we can. The same Reason is of withdrawing half the Duties upon unwrought Sugars, for hereby the *Dutch* and *French* may refine them cheaper than the *English* can, and thereby make them cheaper to themselves, and exclude us from the foreign Vent of our refined Sugars, as much to their enriching and encrease of Navigation, as to our Loss in both.

Expedient XVIII.

That it be free for all Nations to import Pitch, Tar, Masts, Boards, Raff, and all Sorts of Timber, and rough Hemp and Flax, into all the Ports of *England* and *Wales*, without paying any Duties.

The Reason of this is, hereby the *English*, if they can get Hands, may fit up Vessels not only for the Fishing Trades, but for all other Foreign and Domestick Trades; and so far as Foreign Timber be employed in building Ships, we may build as cheap.

Object. 1. The King by this will lose considerably in his Customs.

Answer. It may be so, but hereby he will gain threefold more in building, repairing, and fitting up his Navy Royal: as I remember, when in 1667 after the burning of the City of *London*, Endeavours were used to procure these to be freely imported for the Benefit of rebuilding it; upon Search the Duties upon Pitch, Tar, rough Hemp and Flax in all *England*, did not amount to 1700 *l.* per Ann. and that very Year the King granted the Customs upon Masts, Boards and Timber, to Sir *Robert Paston*, (after Earl of *Yarmouth*) only reserving to himself (as I remember) 2600 *l.* per Ann. the greatest part whereof was afterwards begg'd: How it stands now I know not.

Object. 2. If this Importation be free, we shall undo our *Norway* Merchants and Traders to *Liesland* and *Prussia*.

Answer. And why undone? They are not excluded from trading hereby: But suppose these Traders be twenty, and they cannot,

or will not supply the Kingdom so cheap as others; shall the Interest of the Nation, by employing above (it may be) 100000 poor People in these all the Year round, (and we hereby be enabled at least to fit Vessels in all our Navigation as cheap as the Dutch, and cheaper than the French) be postponed to the Interest of twenty particular Men, who by this are no ways hindered in their Employment, if they do it as well as others?

Expedient XIX.

That all Foreigners may be free to exercise any Mystery in any Art in any Place in *England*.

The Reason of this is, because if the Nation had all the Benefits proposed in these Expedients, and all other imaginable Advantages, they would not be of further use to the Nation than they had Hands to carry them on.

The Commons in the third *Westminster* Parliament upon the 31st of December, in 1680, Gave leave to bring in a Bill for a General Naturalization of Alien Protestants, and allowing them Liberty to exercise their Trades in all Corporations.

But why was this leave to be given only to Protestant Foreigners? Let's see how the Case stands, and what Benefit the Nation can reap from it, now the French King has expelled the Reformed out of France: As the Case stands, *Holland*, France and *Flanders* are the Places from whence we can expect any Benefit by this Liberty. In *Holland* Protestant Artificers are as free and easy as in *England*; but in *Flanders*, though they be an industrious and honest Sort of People, yet are they all Popish: and I am confident, if they thought they might freely exercise their Religion in *England*, Multitudes of them would seek an Asylum in *England*, to be freed from the Insults and Tyranny they are always subject to from the French; and it may be reasonably expected, that Multitudes of People in the French Conquests would flee the French Tyranny in them, if they might be free in their Religion in *England*: and it is not unlike, but upon Advantages given the French, we might procure many of them to fish from our Western Ports, if they were free in their Religion.

Objeſt. But this Permission would disturb the Peace, and endanger the Safety of the Church of *England*.

Anſw. Good Men are scarce, and so these Men had need of taking care for themselves; and these Men are as careful of the Church, as the Free-men are of their Privileges, and rather suffer the Nation to sink, than they any ways endangered.

Is not the Church of *England* in the Kingdom of *England*, and protected by it; so that if the Kingdom falls, the Church cannot stand? Did not our Saviour send his Apostles to propagate the Gospel in this World, though they suffered Persecution and Martyrdom for it? Yet these good Men are fearful of themselves and

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the Church of *England*, if others come to support the Kingdom, and enrich them : When any Foreigners are planted here, have not the Church-men, if they will make it their Business, an Opportunity of winning them to the Church of *England*, and have Reason, and the Authority of the Kingdom to do it? and if these will not prevail, the Fault is others, not theirs.

For my part I detest the *Roman* Superstition and Idolatry as much as any Man, and am as fearful of the Tyranny which the Pope claims, as well over Princes, as Mens Consciences; yet I apprehend no Danger of either, by this Liberty granted to Popish Artificers : for it is one thing for Jesuits and Popish Priests to make it their Business to pervert Men to their Sentiments, and another thing for poor Popish People to make it their Business how to subsist, which will take up their whole time, especially where they are in a strange Place, and Strangers to the People, (unless by accident in their Dealings for their Support) and also to the Language of the People where they live. I would know what Inconvenience has followed, for permitting *Brewer* and his Followers (which were all Papists) to instruct our Natives in making and dyeing fine Woollen Cloths : and in all the Disturbances and Tumults of the late Times after 1640, let any Man shew me one Instance wherein the *Walltons*, and their Descendants planted in *London*, *Norwich*, *Colchester*, or *Canterbury*, contributed to any of them ; however they had been sufficiently provoked thereto, both by Arch-Bishop *Land*, and Bishop *Wren*.

Expedient XX.

That it be free for all Foreigners to purchase Lands and Tenements in *England*.

The Reason hereof is, because where Men purchase Lands and Tenements, they design a Habitation, whereby the Nation will be so much more peopled as Purchasers are more, and the Kingdom so much strengthened, and the King's Revenues so much increased; as these Purchasers and their Families consume more excizable Goods, or foreign which pay Customs : and so much more as the Purchase-Money shall be more, so much more will the Nation be enriched ; for the Lands and Houses we retain still, and the Purchase-Money is an Addition to the Treasure of the Nation : and this is so much an Advantage to the Nation, because no Man in it runs any Hazard or Venture of Loss by it ; whereas in all the Wealth which Merchants acquire by Foreign Trades, they run not only the Hazard of Loss, but of being undone.

Expedient XXI.

That a publick Encouragement be given to all Foreigners which shall carry on the Fishing Trade from the Ports of *England*, in the *New-found-land* Fishery, and to *Greenland*, *Iseland*, *Westmony*, and upon the Coasts of *England* and *Scotland*, for the taking and curing *White-Herring* and *Cod-fish*.

The Reasons hereof are manifold; for above all other Trades, the Fishing-Trade encreases Mariners and Navigation; for every Man in the Fishing-Trade becomes a Mariner, whereas in the *East-India* and other Trades, it may be a thousand Artificers do not employ one Mariner; and in the *East-India* Trade, it may be a Question, whether we do not lose more Sea-men or make more Mariners; and those which survive, by reason of the Diversities of the Climates, and their feeding upon salted Meats, and drinking sour Drinks, are so feeble, that a Fisherman is able to fight and beat two of them: Add hereto, the Fishermen are always at home, and so at hand upon all Occasions to serve the Nation, whereas in the *East-India* Trade you scarce hear of one in two Years, and not in a Year from those to *Turkey*, and our *American* Plantations. Besides, these Fishing-Trades, above all others, employ all sorts of poor People at home, in making Ropes, Sails, and Nets for it.

If ever these Fisheries be retrieved, it will be with great Difficulty, and a Work of Time, considering the Poverty of the Coast-Towns of *England*, and the Potency of the *Dutch* and *French* in opposing us, who are possessed of them; and it is more difficult to retrieve a lost Game, than not to be able to play it before it be lost: yet this Benefit we have by it, that we have discovered how we lost our Game, and how the *Dutch* and *French* won theirs.

In the Fisheries upon the Coast of *England* and *Scotland*, besides the King's indubitable Right, whatever *Grotius* in his *Mare Liberum* says to the contrary, the *English* may take in fresh Water and Provisions, and dry their Nets upon the Shore, which the King may forbid Foreigners to do in their Fisheries, which may be of great Advantage to the *English*; for the *Dutch* begin their Fisheries of *White Herring* upon the Coast of *Schotland* or *Schetland*, upon the *Rising Grounds* (as they call them) and follow that Fishery four Months in the Year, before the *Herrings* come to the Coast of *Norfolk* and *Suffolk*, where we begin ours, which Fishery we enjoy no longer than while the *Herrings* pass to the South of *Norfolk*; so as the *English* enjoy this Fishery but about a Fortnight or three Weeks: and I am told, the *Dutch* in this Fishery are three-fold more than the *English*, tho the *English*, by Men of War, force the *Dutch* to fish farther from the Coast than the *English* do: yet this Advantage the *English* have above the *Dutch* in this Fishery, that they can cure *Red Herrings*, which the *Dutch* cannot, for *White Herrings* cannot be cured into *Red*, but when new taken: so that the *English*, as soon as they take them, bring them to *Yarmouth*, *Lestoff* and *Pakefield*, where they make them *Red*; whereas the *Dutch* fishing a Fortnight or three Weeks before they return to their own Coasts, the *Herrings* become too stale to be made *Red*.

For the Employment of the *English* Natives in making Cordage, Nets, and Sails, for the Fishing Trades, it's requisite that Work-

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houses be erected in every Port-Town for poor Children to be instructed in Spinning and making Nets; and that rough Hemp, Flax, Pitch, and Tar, be bought at a publick Charge, and laid up in publick Ware-houses, and delivered to those who work, by select Officers, so that these be not bought up by Wholesale People, and by them sold to Retailers, to be sold to poor working People. These publick Stores, tho they be renewed, yet there need be no further Charge to the Corporation or Port after the first, because the first being paid out of the Labours of the working People, the Profit may buy more.

I think it were fit an Account were given to the Justices of the Peace of the next Division, of every Port-Town, in their Quarterly Sessions, of the state of the Stock of the Port, as well as the poor People employed hereby.

And for encrease of Work-men in these Manufactures, it is fit that all Vagabonds and wandring Persons should not be sent back to the places of their last Habitation, but to the Ports of *England*, to work in them; for bunching Hemp, and winding Ropes, require but little Skill besides bodily Labour, and Spinning and making Nets is soon taught: and that People which are punished by Whipping and Branding, and then let loose, should be punished with more than ordinary Labour in these, for some time, more or less, as the nature of their Crimes are, instead of those Punishments. So that tho our Timber be not so cheap and convenient for building Vessels for the Fishing Trade, yet when one is bought, we may fit it up for the Fishing-Trade as cheap as the *Dutch*, and cheaper than the *French*, and our desolate Coast-Towns be so much more peopled, as People shall be employed in making Ropes, Nets, and Sails, for the Fishing-Trade.

I wish an Experiment were made of our *English* Hemp, cured in running Streams, whether it would not take Tar, and endure a Straint, and not break, as well as foreign: I am sure, of my own Knowledge, the Wretting and Curing it in running Streams will not kill the Fish; and if for that time it makes the Water bitter, so as Cattel will not drink it, Men, for as little Charge, may make Pits for their Cattel to drink in them, as to cure their Hemp in them: and if, by this means, our Hemp should make as good Cordage as foreign, I am sure above 20000 Acres might be converted to planting Hemp in the Isle of *Ely*, the *Fen-Lands* in *Lincolnshire*, and manifold more in *Ireland*, which at present are of little use to the Nation; and if Hemp and Flax could be cheaper hereby than they are imported from *Liesland* and *Prussia*, the Nation would save the foreign Expence. But if Hemp and Flax should be planted, it is fit they should be exempted from payment of Tithes, for by it, it may be, foreign Hemp and Flax might be cheaper imported. But then where should People be

got to these? It must be by Foreigners or *Scots*.

Object. Hereby you would undo the Church.

Answer. Not at all, for they have no Tithe-Hemp and Flax before they be planted, and so the Church and Church-men cannot lose or be undone, in not having that they never had; and why should the Interest of twenty or thirty Men be preferred to that of the Nation?

Suppose 10000 *l.* per *An.* should be given for binding 2000 Apprentices in the Fishing-Trade, and these, one with another, earn 20 *l.* per *An.* this would be 40000 *l.* a year Benefit to the Nation; and in 10 years this would be 400000 *l.* Benefit to it. I would know which way Money could otherways be better employed.

The *French King*, at his own Charge, erects Schools in all the Sea-port Towns of *France*, to instruct Youth in Mathematicks in the *French Tongue gratis*, and gives half Pay to all young lusty *French*, for two Years, who will employ themselves in the *New-found-Land Fishery*: and is it not fit the *English* should give equal or more Encouragement to the *English* for carrying on our Fisheries?

Suppose a Tax were given for this end, that all such Foreigners as would bring in any Fishing-Vessels into any of the Ports of *England*, the Foreigner should be paid the full Value of his Vessel, provided he laid out Money in purchasing a Tenement or Land in *England*, to secure him and his Interest in *England*. By this means the Nation exports no Money, which it must do in buying a foreign Vessel; the House and Land we still have, and gained a vessel, and Master and Family, which we had not before; whereby the *English* may be instructed to cure *White Herring* and *Cod-fish* as well as the *Dutch*, and also how the *Dutch* and *Hamburgers* have improved the *Whale-Fishery*, as much to their Benefit and Navigation as our Loss.

It will be necessary, if the Nation designs to set up a Fishery from the Ports of *England*, that the Returns of Fish be imported Custom free; for otherwise it will be impossible to encrease the Foreign Trade for Fishing beyond the Returns which shall be consumed in *England*.

Object. This will hinder the King in his Customs.

Answer. Not at all, for the King has none in any of these Trades, so cannot lose by Goods imported in Return of them; but I say, the King will be a Gainer by the Excise of Beer, Brandies, and Wines, in victualling Vessels in this Trade; and by the Consumption of these, by these and their Families at home, which are employed in them.

Expedient XXII.

That Encouragement be given for building Vessels for the Fishing-Trade, and our other Trades in *New-England*.

The

The Reason hereof is, the *English* had better furnish themselves with Vessels by their Fellow-Subjects, than depend upon Foreigners for them, if this can be as cheaply and conveniently done by those as these.

I am sure the Principals of building Vessels in *New-England*, viz. Timber, Masts, Pitch, and Tar, may be cheaper had in *New-England* than the *Dutch* can acquire these out of *Germany* and *Norway*; and little Iron need be used in building them, especially if instead of Iron-bolts *Trunnailing* be used, which is much better.

But this building Vessels for the Fishing and other Trades in *New-England*, must for some time be done by foreign Carpenters, for our *English* know no other Modes in building but for the *Newcastle* Trade; and these are the Ships which the Act of Navigation calls our *English*-built Ships, which the *English* are obliged to trade in, in all their other as well as *Newcastle* Trade.

If the Parliament should give 2000 *l. per Annum* for some time, as five or six Years, to twenty Ship-Carpenters, which build Busses, and other Vessels in other Trades, to be paid above the Wages given in *Holland*, to each one hundred Pounds a Year more; I do not believe but that they may be had upon these Terms: and the Inhabitants of *New-England* are an industrious and numerous People, already build Vessels, as well for their Trades to our Plantations as to *England*, and would understand how much their Interest would be improved hereby, having Hands enough, and Materials better and cheaper than can be had in any other place.

Expedient XXIII.

That the Ports of *England* be free for all Foreigners to import and export all sorts of Merchandize.

The Reason hereof is, That the Wealth of every Nation consists in Goods more than Money; so much therefore as any Nation abounds more in Goods than another, so much richer is that Nation than the other: for Money is of no other use, than as employed in Trade; and therefore where-ever the Market is, Money will follow. *Holland* and *Spain* are plain Demonstrations hereof; for there is no Money in *Holland* but what they acquire by Trade, yet have Principals of Trade neither for Navigation nor Merchandize: whereas *Spain* has yearly many Millions of Treasure in it, and manifold Principals of Trade and Navigation, yet can keep no Money, whilst *Holland* abounds with it.

Suppose we should lose a hundred Sail of our laden Merchantmen, and all the Men, were it more or less, will not any Man say the Nation will be so much impoverished and weakned as the Goods and Ships are in Value, and the Mariners more? Convert the Proposition then, and suppose by the Freedom of our Ports Foreigners should bring in as many Ships, and Goods of like Value, and like Number of Mariners, would not this be as much an

enriching and strengthening of the Nation as the other was an impoverishing and weakning of it?

Does not *Leghorn* flourish above all the Ports of *Italy*, by the Freedom of it? And does not the Pope see the Convenience of it, by making *Civita Vecchia* a free Port? And does not *Gottenburg* flourish above all the Port-Towns of *Norway*, tho made a free Port but for a time?

Sure a Stander-by would be amazed to see such vast Fleets of *Dutch*, *Hamburghers*, *Danes*, and *Swedes*, every Year pass by our excellent and safe Harbours of *Falmouth*, *Plymouth*, *Dartmouth*, *Portsmouth*, and *Harwich*, which are always open, to encounter the Sands of *Zealand*, and the unsafe Passage of the *Fly* or *Vly*, into the *Zander* Sea, where they are all the Winter in great Danger to be stranded by stormy Weather, and to be hal'd over the *Pampus* to prevent it, and the Rock before *Hamburgh* and *Gottenburg*, and where they are frozen up commonly three Months in the Year, but more, if he be told the Reason of it, which is, *Hell* and *Shipwrack* is not more dangerous than our Ports, by the Act of Navigation, and the Law against Freedom of Trade in *England*; yet the *English* enjoy that Freedom abroad in *France* (when at Peace) in *Portugal*, *Italy*, and *Turkey*, which they deny others at home: and herein we'll observe our Saviour's Rule, *To do as to be done by*.

Admit the Freedom of our Ports should procure no Foreigners to inhabit with us, yet by their Trades, and laying up their Vessels in Winter-Seasons, the Nation would acquire the Benefit of victualling their Vessels, and supplying the Masters and Mariners with Provisions during their Abode, which would encrease our Markets, and enrich the Nation.

Obiect. If our Ports were free, we should undo our Natives in all their foreign Trades.

Answer. I expected no better Reasoning; but if we keep our *Newcastle* Trade, and that to *Ireland*, and our Plantations, exclusive to Foreigners, let any Man shew wherein this Nation can receive any Prejudice by Foreigners importing any sort of Goods, or by exporting ours, if the Natives be free to buy Ships: for my part I know none, except by the *French* bringing in wrought Silks; and this is a needless Fear, now silken Manufactures are so well wrought here, that if raw Silks be freely imported, silken Manufactures will be cheaper wrought here than can be imported from *France*, and some fine Needle-works in Linen from *France* and *Flanders*: forbid then that from *France*, but permit it from *Flanders*, thereby to enable them to hold a better Correspondence with us for our Woollen Manufactures.

CONCLUSION.

I Have done, and I do not know but that I am the first that ever began a Work of this Nature; and I was the rather induced to it, because tho the Employment of People, and the Freedom of Trade, be the two great Principles of the flourishing and happy State of any Country, yet the Nobility, Gentry, and Clergy, whose Interest it is to have these, make it not their Business to understand them: and our Merchants, who are as understanding a sort of Men as any are in any other Country, tho they understand that Freedom of Trade and Employment of People be the greatest Happiness of any Country, yet these (especially those who act in Companies exclusive to the rest of their Fellow-Subjects) understand it to be their Interest in continuing the State of Affairs, in reference to Trade, as they now stand; for hereby they have the Employment of the Natives in their own Power, to take what they please off their Hands in foreign Trade, and at their own Prizes (beyond which the Natives cannot be employed in the foreign Vent of our Manufactures) and the Artificers in them reduced to poor Estate, and Multitudes of poor People made hereby a Burden to the Nation; besides manifold others seek their Subsistence (for all Creatures desire to subsist) by ungodly means: And as in the foreign Vent of our Manufactures, so the restraining the Import of foreign Commodities to our *English* Merchants (especially those who trade in Companies exclusive to their Fellow-Subjects) is not less injurious than the Export of our Manufactures; for hereby the Merchants impose what Rates they please upon our poor Artificers, and those which cannot come up to their Terms must not be employed.

Nor is it better in the Domestick Trades of our Manufactures, for few Manufactures can be managed but in Towns, and frequented Places, where the Workers may be assisted by others, and with those things which they stand in need of in their Employments; yet all our great and frequented Towns in *England* are Corporations and Market Towns, which exclude thousands of Artificers out of them, for not being free of them, or not having been bound Apprentices in them, whilst

whilst these Free-men, by the Prerogative of their Freedom, impose what Rates they please upon the poor Artificers, and set their own Prizes upon the Nobility, Gentry, and others who buy of them.

He that begins any Work, labours under manifold more Difficulties, and is more subject to Error than another who builds upon his Foundation. This is my Case, and therefore am more excusable for the Frailties and Errors I may have committed in this Design; but upon the Discovery of any, I promise to recant it. I am sure my Intention is honest herein, being for the Good of my Country; and those Labours are best which are spent in the Benefit of it.

F I N I S.

E R R A T A.

Page 20. line 16. r. *as fierce*. P. 52. l. 16. del. *this*. l. 17. r. *this House*. P. 57. l. 16. del. the Parentheses. P. 100. l. 5. del. *Comma* after *not*. P. 118. l. 28. after *drawn* add ;. P. 119. l. 41. del. the last *that*. P. 132. l. 15. r. *Spanish Secretary*. P. 135. l. 24. r. *then went*. P. 167. l. 30. r. *then*. P. 374. l. 15. del. *Comma* after *God*. P. 378. l. 10. and 379. l. 20. for *former* r. *first*. P. 398. l. ult. after *confirmed* put *Comma*. P. 530. l. 10. r. *they will*. P. 540. l. 37. r. 20 l. P. 646. l. 1. r. *and not so do it, and give*.

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